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A REVIEW OF LOCAL AGENCIES IMPACTING REGIONAL WATER QUALITY MANAGEMENT

MIAMI VALLEY REGIONAL PLANNING COMMISSION

PREPARED FOR
ENVIRONMENTAL PROTECTION AGENCY

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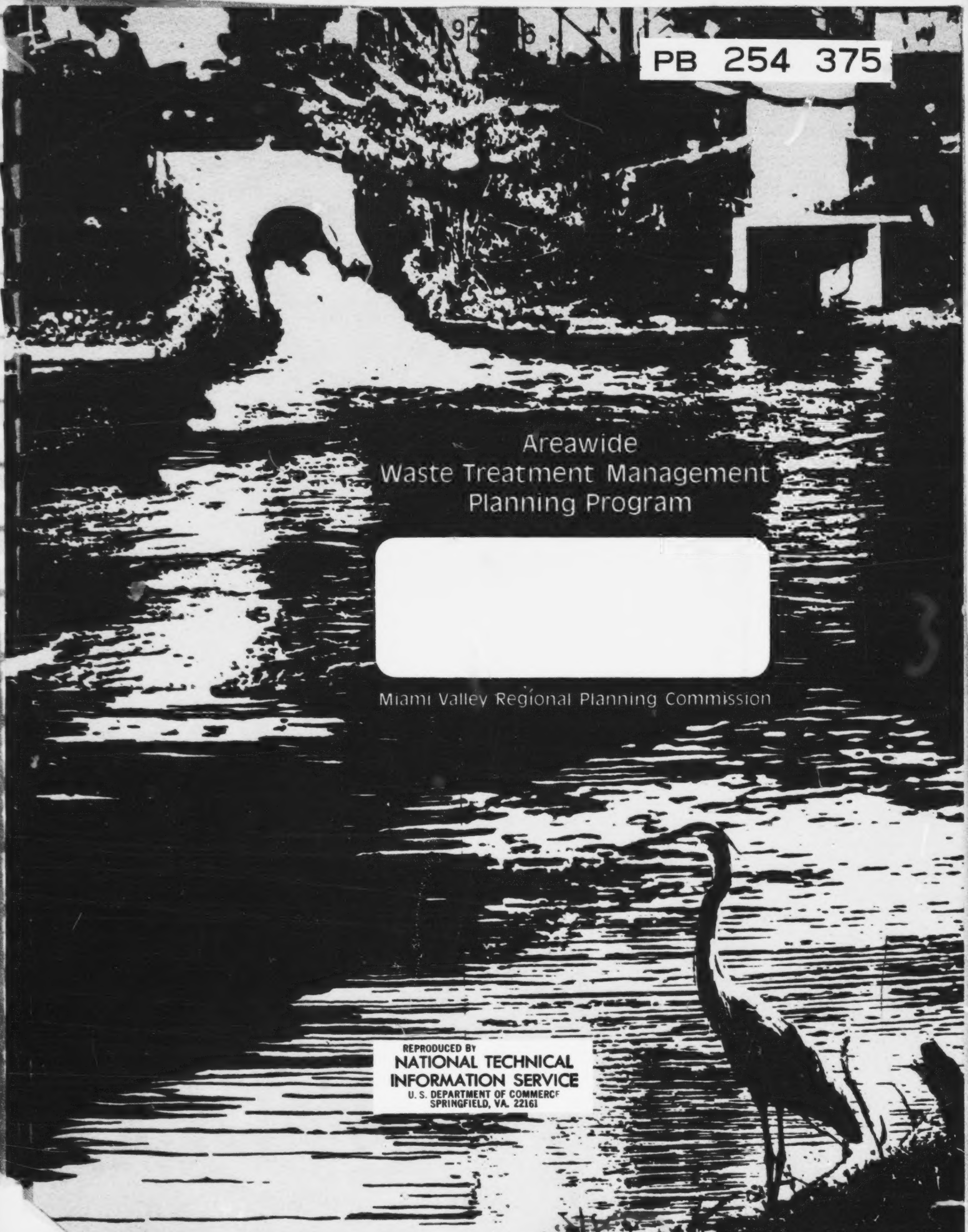

Areawide Waste Treatment Management Planning Program

Miami Valley Regional Planning Commission

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A sample of twenty representative local governmental units - counties, townships, cities and villages - in the Miami Valley (Ohio) region were interviewed to determine the manner and extent of each unit's involvement in wastewater management, water supply, land use, solid waste, storm water, flood control, transportation, and general water quality policies and programs. For each governmental level, a narrative summarizes the range of existing legal and operational water quality activities. Appendices contain the synopses of each interview as well as the survey instrument used in gathering the data. The information is to be used in the development and implementation of the Section 208 (PL 92-500) areawide waste treatment management plan.

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M 4

March, 1976

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Approved by the Water Resources Committee
on February 24, 1976

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PREFACE

This report, A Review of Local Agencies Impacting Regional Water Quality Management, is one of a series of eight reports which together provide background information necessary for the development of the management component of the Section 208 Areawide Water Quality Management Plan and program being developed by the Miami Valley Regional Planning Commission (MVRPC).

In June, 1974, the MVRPC received a two-year grant from the United States Environmental Protection Agency for the purpose of preparing an areawide water quality management plan for the five county region - Darke, Greene, Miami, Montgomery and Preble Counties - as specified under Section 208 of the Federal Water Pollution Control Act Amendments of 1972. In February, 1975, the MVRPC retained the services of Linton and Company, Incorporated to assist in the development of the management component of that plan. Since that time the respective staffs have worked to develop an informational background needed to determine the management alternatives which will fit the technical alternatives selected toward solutions of present and potential water quality problems.

The reader will find that one report may reference one or more reports in this series. Because each report is quite detailed it was felt that referencing another report rather than recapitulating its contents was the easiest course. The other seven reports in this series are:

Experience and Potential for Regional Water Quality Management

Financial Critical Factors Analysis

Legal Critical Factors Analysis

A Review of Federal Programs Impacting Regional Water Quality Management

A Review of Regional Agencies Impacting Regional Water Quality Management

A Review of State Agencies Impacting Regional Water Quality Management

A Review of Critical Factors Impacting Regional Water Quality Management

INTRODUCTION

During the months of June and July, 1975, staff members from the Miami Valley Regional Planning Commission (MVRPC) and Linton and Co., Inc., interviewed representatives of townships, municipal corporations and counties (See Appendices A, B and C for complete listing and Appendix D for map) in the five county area. The purpose of the interviews was to gather information relating to the present operating responsibilities of these public agencies in water quality management. For the purposes of this study, water quality management was defined as the manner and extent of each agency's involvement in eight functional areas.

- waste water management
- water supply
- land use
- solid waste
- storm water
- flood control
- transportation
- water quality(policies and programs aimed specifically at water quality as opposed to policies and programs the impacts of which affect water quality)

Interviews with individuals involved in various aspects of water quality management at the County government level were conducted in all five counties. Certain townships and municipal corporations were chosen to provide a representative sample of areas characterized by different growth patterns, i.e., rural, urban, and urbanizing. This sample of governmental units provided a cross-section of varying levels of involvement in water quality management. In some cases, previous knowledge of the governmental unit's involvement was considered in its selection.

Using the information gathered through the interviews (conducted jointly by MVRPC and Linton & Co. staff members), individual governmental unit synopses were prepared. They are organized to present the following types of information:

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- Geographical Jurisdiction
- Legal Basis of Authority (i.e., constitutional and statutory authorities under which agency operates)
- Areawide Water Quality Related Functions (described above)
- Differences Between Legal Authorities and Operating Responsibilities
- Major Legal and Administrative Constraints (i.e., as they affect water quality management activities described earlier)
- Relationships With Other Organizations (i.e., emphasizing organizations involved in one or more water resource activities)

    - Local
    - Regional
    - State
    - Federal

The synopses provided the basis for preparing the overviews which follow. Each overview is organized by governmental unit type (i.e., township, municipal corporation and county) and summarizes the extent to which different local agencies are involved in water quality management.

The overviews provide a basis for drawing certain conclusions about current operating experience within the Miami Valley region. They provide a basis for identifying constraints to meeting the water quality goals of the Federal Water Pollution Control Act Amendments of 1972 (FWPCAA) as well as for identifying examples of intergovernmental policies and programs, helpful to solving water quality problems in the region.

Synopses of the sample of local units of government, a map showing the location of each township and municipal corporation participating in the interviews, and the survey instrument used in the interviews follow the overviews.

The public utilities overview, about the Ohio Suburban Water Company was added later to provide information on the one private public utility providing water and waste water treatment services to a particular area of the region. The information on Ohio Suburban was gathered through a phone interview with company officials in January, 1976.

Overview of Township Programs

The interviews with township officials revealed little involvement by that form of government in the functional areas of waste treatment, water supply, solid waste disposal, or flood control. The first two program areas generally require large capital investments and detailed technical studies, regardless of the size of a township's population. These two resources are not generally available at the township level. Governmental activity in waste treatment and water supply is also restircted by the legal preference shown in Ohio statutes toward the establishment and maintenance of sewer and water services by counties and municipalities.

The lack of financial, technical, and legal support for township operation of sewer and water systems is offset by the fact that in most townships commercial and residential demand for the services can be met most easily by private septic tanks and wells. Townships in which the demands rise suddenly are usually on an urban fringe and meet increased demands through service extensions from agencies in adjacent urban areas. Finally, township initiative cannot be exercised without county approval when county water and sewer districts have been established in the unincorporated portions of a county. This has been done in the Miami Valley region. Consequently, if the low level of involvement indicated in the five interviews conducted is typical for Miami Valley townships, it is because of a lack of interest or concern.

Operational authorities aside, townships do contribute money to county efforts in the wastewater management area. Septic tank and potable water well inspections come under the purview of the county health departments. Some townships help pay the cost of those inspection programs a county does conduct by setting aside some portion of the township budget for this purpose. Where such programs are integrated with county (or township) zoning and subdivisions regulations, over-reliance on private systems can be prevented by requiring the installation of package treatment plants or tie-ins with existing service lines. County boards of health usually take the lead in actions such as these and two have done so in the Miami Valley region. In Greene County a building ban was imposed in Sugar Creek Township (not interviewed for this report) because of an inadequate disposal system plan. In Miami County, sewer moratoria have been imposed on three separate subdivisions.

The same financial considerations constraining the provision of sewer and water services make it difficult for townships to operate their own solid waste collection and disposal systems. Jackson Township (Darke County), for example, provides collection service to its residents, while other respondents reported their residents rely on direct contracts with private collectors. In this program area as well, the demand for refuse collection remains slight and is being met by existing arrangements. Township operations themselves were not reported as being extensive enough to generate sizeable amounts of disposable waste, thus the governments themselves are not significant contributors to the solid waste collection and disposal problem. Finally, in the area of flood control, operational authority is almost totally in the hands of the counties and, where it exists, the Miami Conservancy District, so township involvement is minimal.

It is in the remaining two areas -- land use and storm water control -- that township governments are most actively involved. Traditional land use regulations at the township level are limited by law to preparation of zoning regulations. A township may enact its own zoning codes, may adopt county zoning codes, or may choose to operate without any zoning codes at all. Townships are not empowered to adopt or administer subdivision regulations. This limitation, however, does not prevent townships from consideration of water quality-related aspects of land use control in preparation of zoning plans. Present involvement among the townships interviewed, however, has been limited to permitting county inspection of septic systems and private wells to make sure they meet public health standards. No extensive use of planned unit development (PUD) or any other form of innovative zoning control was reported at the township level. It seems accurate and fair to conclude, therefore, that existing approaches to zoning do not directly reflect water pollution control concerns.

Storm water control measures, in the form of drainage ditching along township roads, are one area in which most townships responding reported their greatest operational involvement as it relates to water quality control. Some townships maintain their own roadside drainage ways; other petition the county when extension or maintenance is required. Since most of the problems associated with storm runoff in rural areas have more to do with quantity rather than quality, existing projects have been designed to deal with the need for control of heavy drainage. Nevertheless, the operational experience gained at the township level does give these local governments a basis for participating in water quality as it relates to control of storm water, should the need arise.

Overview of Municipal Programs

Under Ohio law, both "cities" and "villages" are considered municipal corporations, hence the sample of municipalities includes communities of a few thousand residents to larger concentrations of more than one hundred thousand residents. Political entities with the same legal authorities that range in size this way can be expected to be involved in water quality control programs to varying degrees. In this discussion the total sample is divided into city and village subgroups: cities being municipalities of more than 5,000, and villages being municipalities of less than 5,000. This was done to further distinguish the levels of activity and to prevent the reader from assuming that villages should be judged on the same level with cities. Both types of municipalities are engaged in all of the program areas, with the common exception of flood control at the village level. Villages interviewd for this report were not involved in any kind of flood-related activity, except with respect to participation in U.S. Department of Housing and Urban Development (HUD) flood insurance programs. This is undoubtedly because none of the villages interviewed are located in a defined flood plain.

In the waste treatment program area, all cities interviewed, except Centerville, reported owning and operating sewerage and treatment systems. Service to Centerville residents is provided contractually by Montgomery County. Most of the villages responding also have their own plants; the Village of Gratis does not becuase village residents are still served by individual septic tanks. The cities all serve non-residents on a contractual basis and at least one major center, Dayton, derives approximately 15% of its revenue from non-resident users. In the Dayton metropolitan area, major municipal and county suppliers coordinate their service extensions under informal agreements in which all parties recognize the advantage of following the natural drainage patterns in the valley. Doing so means that division of the total service area (including additions by urbanization in the periphery) is usually based on topographic divisions rather than political and administrative negotiations. For example, a portion of Montgomery County needing sewer service might be nearer to one municipality's plant, but the basin draining the area might flow toward another city's facility. In cooperative cases, the second city would make the extension.

The pattern of involvement in water supply is similar to that of sewage treatment. Centerville residents are supplied by Montgomery County; the other five cities have their own plants Unlike some areas where water is drawn directly from rivers, streams, and lakes, Miami Valley suppliers rely almost exclusively on aquifers for raw water. The City of Piqua was the only municipality that reported drawing water from a river. Villages all have their own systems, relying on the region's aquifers. Both cities and villages serve non-residents on a contractual basis. Municipal waste water treatment and water supply programs throughout the five-county area are well developed by cities and villages, meeting the need wherever economical to do so Section 208 plans will build on the existing network.

Land use regulation has been undertaken by almost all the respondents. Most municipalities interviewed integrate their zoning codes with the comprehensive plans drawn up by their planning commissions. The cities administer building and subdivision regulations, two additional ways to regulate domestic and industrial connections to sewer systems, and for that reason a type of pollution control. Isolated cases of regulation via some of the more recent, innovative zoning controls do exist (see the report, Critical Factors Evaluation), but they are the exception rather than the rule. The best example is the City of Englewood's adoption of a sediment control ordinance. Interviews and discussions so far have shown that most programs do not specifically include water quality issues to the extent implied in the FWPCAA. Consequently, city involvement in pollution control through land use regulation outside of the two areas of sewer and water supply system safeguarding by inspection for public health violations has not been developed

All villages in the sample reported using zoning and subdivision regulations. Pleasant Hill was the only corporation that had not developed a comprehensive plan to back up the codes and regulations. At the village level, too, it is not clear how much weight is given to water pollution considerations as opposed to the traditional problems of siting, design, and construction by local officials. It is assumed, however, that land use control has not yet been widened by most municipalities to include these newer questions to the degree implied in Section 208 of the FWPCAA.

Solid waste management for most cities and villages entails running a collection fleet or licensing private haulers to contract with the municipality or its residents to collect refuse which is dumped in county or privately-owned landfills. The city of Greenville also operates a landfill site of its own, but the other cities simply collect garbage and refuse. Licensing private contractors is the method preferred by all villages except Gratis, which reported no involvement in either collection or disposal

Plans and proposals for recovery and recycling are being studied by some cities, but no significant operations of any type were reported. All cities and villages fulfill their responsibilities in this program area with the collection services that they offer.

At the municipal level of local governments "storm water management" is primarily urban runoff control. The cities of Dayton, Greenville, and Piqua own and operate separate sewer systems, so collection and disposal of storm water is handled with storm sewer systems. The separate systems these cities have reduce wet weather flows to municipal treatment plants to avoid overloads and by-passes of inadequately treated sewage to the region's receiving waters. The city of Eaton is served by the Preble County system, while Centerville and Vandalia did not report on their storm water control programs.

The villages reporting in this survey all have some kind of drainage system. The village of Pleasant Hill is drained by a tile network; while the others rely on roadside drainage ditching to carry off excess rain water. Ditching is usually undertaken concurrently with the extension or improvement of roads under the villages' authority. At the time this report was written no complete study has been done on the magnitude of pollution attributable to runoff in the area. Consequently, no judgment can be made at this time as to the amount of pollution caused by storm water runoff. Interviews with village officials indicate that runoff is not perceived as a major problem for any of the individual localities. Studies of urban and agricultural runoff in the Miami Valley region would help 208 participants determine whether or not the existing programs and facilities are adequate.

The final program area is flood control. Here again, different degrees of involvement exist between cities and villages. All major municipalities except Vandalia participate in the HUD-sponsored flood insurance program. Local governments qualifying for the program must adopt special zoning, subdivision, and building codes for tracts within the identified flood-prone area. No active programs for flood control at the village level were reported. Lack of any operational control over flood control structures among cities and villages, and a noninvolvement in any flood control programs at all among the villages is accounted for by two facts: first, the Miami Conservancy District has long had primary responsibility for dikes, dams, levees, storage areas; second, none of the villages chosen for the sample were located in an identified flood plain.

In conclusion, it is necessary to consider how municipalities have used the authorities granted them under the Ohio Constitution and the Ohio Revised Code (ORC). The sample of cities and villages investigated shows extensive invovlement in those program areas covered by public health, welfare, and police power legislation. This range of statutory background covers the areas of waste treatment; water supply; zoning, subdivision, and building codes; solid waste collection, and urban runoff. In each of these areas municipal officials act like corporate officers in any privately owned service industry. That is, they seek to provide public services wherever the need exists at competitive prices subject to the fiscal constraints of keeping the corporation solvent. Programs involving innovative or untested measures based on clear legal mandate, such as particular zoning practices or other regulatory programs, have not been tried to any great extent.

Overview of County Programs

Ohio county governments have extensive powers to create and administer structural and nonstructural water pollution control programs. The program areas of waste treatment, water supply, solid waste, and storm water control, where storm water is treated as runoff, are backed by statutes elaborating the county's responsibilities for public health and safety. Land use programs come under the traditional heading of county zoning powers; while flood control responsiblities in the region are usually assumed by the Miami Conservancy District (MCD). There is considerable sharing of responsibility among the three levels of local government examined in this report which are evaluated in the separate report, A Review of Critical Factors Impacting Regional Water Quality Management. The area of land use controls for counties, municipalities, and townships is a good example. Such "vertical" connections will be mentioned here only when they elucidate existing county activities; they are specifically covered in the aforementioned report.

Darke, Greene, Miami, Montgomery and Preble Counties exhibit different levels of involvement in the program areas reviewed. The degree to which any one county is involved in a particular program area depends on the factors of perceived need for county-level action, existence of other factors in the same area, type of policy or facility proposed, financial and legal constraints, and community support for county action. The combinations of factors and their impact on a decision to act will vary. Consequently, it is not correct to judge one county as more committed than another on the basis of this report alone. Basically, though, it can be assumed that where the need for involvement and the legal and financial means to support a county's policy exist, commitments have been made.

In the area of waste treatment, Greene and Montgomery operate sewage treatment plants, while Darke, Miami, and Preble Counties have no facilities at the present time. Both Greene and Montgomery serve their own residents and residents of municipalities within each county on a contractural basis. Miami County is planning to use the proposed North Regional Sewage Treatment Plant when it is constructed. Preble County has established county sewer districts and is planning to build its first plant in district number one with interim financial support from the Ohio Water Development Authority (OWDA) along with a construction grant from U.S. EPA. Darke County reported no plans for treatment plant construction in the near future; residents in the County's unincorporated areas are presently served by the septic tanks.

Existing and proposed plants in the four counties now active are a result of each county's decision to establish sewer districts. Provision of service is not automatic in all cases of such action; however, districts are usually set up to allow the county to review and pass on private developments by private companies and proposed service contracts to unincorporated county communities by other political entities Capital investments providing sewerage service still depend most often on petitions from county residents.

Another type of county involvement in the program areas of waste treatment and the second area of water supply is inspection of private disposal and supply systems. Inspection programs are the responsibility of county health departments. Public health and safety responsibilities allow departments to inspect septic systems, wells, drains, and downspout connections. These programs contribute significantly to a county's ability to anticipate the need for switching from private to public systems, contributing as they do valuable information on increasing development, hence increasing demand, and on technical matters such as septic tank operation, well water quality, and infiltration or inflow to storm and sanitary sewers from improper domestic connections.

Water supply service to county residents is provided by Greene, Miami, and Montgomery Counties. Darke County has no water supply system; neither does Preble County. However, the latter is planning for water supply in sewer district number three. Greene provides water from its own wells and developer-installed wells besides to County residents contracting with Montgomery County and Dayton for water supply. Miami draws on County-owned wells and relies on bulk supplies bought under contract from Tipp City. Montgomery depends partly on the City of Dayton for its supply All three counties draw directly or indirectly from the aquifers underlying the Miami Valley. Service extensions are undertaken where economical and where natural drainage patterns permit installation of pipelines. Because natural features are a determining factor in extensions, competition between counties and other suppliers for a given service area is reduced in many cases.

The application of land use controls for water quality management varies. Darke County, the most rural of the five, only recently adopted a county-wide building code (September, 1975), the first step in a program designed to provide the County with zoning ordinances. Other than that, it is not directly involved in land use regulation. The County has no comprehensive plan yet, but it is in the process of adopting subdivision regulations Some municipalities and townships in Darke County have taken the initiative already and passed ordinances of their own.

Greene County's planning commission administers county-wide subdivision regulations but zoning code enforcement has been left to municipalities and townships, as is the case in Darke County. Montgomery, Miami, and Preble Counties have comprehensive plans and zoning ordinances, too. Montgomery County's ordinances include provisions to guide the development of new communities designed along the lines of a "planned unit development" (PUD). Private interests in the County have not yet used the PUD concept to any great extent yet, however. Montgomery County officials also reported a tendency among developing townships to drop county-wide codes in favor of their own regulations, thereby decreasing the scope of the County's jurisdiction. No unusual, innovative techniques of land use control directly linked with water quality matters were reported. It seems reasonable to assume, therefore, that the traditional linkages of adequate sewer, drainage, and water supply facilities are the most frequently applied controls. A more complete explanation of the range of possible controls a county could employ is given the evaluation of the region's "critical factors" affecting the development of alternative area-wide programs for all of the problem categories.

Solid waste disposal programs at the county level can be of three different types: 1) licensing private businesses to collect and dispose of garbage and refuse; 2) operating a county-owned collection and disposal system; and 3) operating an advanced resource recovery facility of the kind jointly run by the City of Franklin and the MCD outside of the region.

Garbage and refuse generated in the region can affect water quality if improperly disposed. Leaching from dumps and landfills can pollute ground and surface water, making both unfit for human use. No mention of any such operations was made in the Darke County interview. Greene County has set up a garbage and refuse disposal district, and reported operating one county site.

Miami and Montgomery Counties operate incinerators, accepting refuse from private handlers and municipal collection services. The Miami facility is losing money for the County; studies are underway to determine the feasibility of expanding it to a resource recovery operation with financial assistance from OWDA. Montgomery County officials are also studying alternatives to landfilling, incineration, and ash disposal. Preble County operates a sanitary landfill for private and public handlers.

In the fifth program area, storm water control, county activities come under the purview of the county engineer's office. Authority to engage in storm water management is currently limited to the construction and maintenance of county drainage ditches, usually serving county roads to ensure safe driving conditions during wet weather. All five counties have ditch-digging and maintenance programs. Residents may request drainage ditching by petition; if granted, the construction costs are paid for by direct assessment of the benefited. Under formal agreements, counties may also maintain township or municipal ditches if the local government requests county assistance. Preble County reported another type of formal agreement with West Alexandria in which the County will construct storm sewers for the municipality. No additional programs, either structural or nonstructural, were reported which dealt with controlling pollution from storm sewers.

Flood control and flood plain management was the final area examined in the survey. Here involvement is fairly uniform among the five counties in the region. None of them own or manage any flood control facilities such as dams, dikes, levees, and retention areas. The Miami Conservancy District exercises complete authority in flood control within the District's boundaries. The MCD and its subdistricts do not cover the five counties. Maps which show the area of the MCD are in the report, A Review of Regional Agencies. Four counties - Greene, Miami, Montgomery, and Preble - have MCD-operated facilities within their borders; Darke does not. County participation in flood plain regulation is more direct. Miami and Preble Counties have incorporated flood plain zoning restrictions in their zoning ordinances. Darke County is qualifying for HUD-sponsored flood insurance program.

At the beginning of this overview, it was pointed out that the degree of commitment by any one county in a given program area varies in accordance with several factors. However, some generalizations about county involvement can be made. The interviews revealed that all five counties are most active in the program areas of: 1) waste water management, 2) water supply, and 3) storm water management. It can be argued that solid waste disposal should be added to the list. It was not because present programs do not deal directly with water quality issues and because planning in this program area shows that future operations will probably deal more directly with water concerns than present ones do.

There are several reasons which help explain heavy involvement in the three areas. First, these are "traditional" areas of public works that concern local residents. County office-holders are sensitive to their constituents' feelings about the level and quality of service provided because those feelings are expressed at the ballot box. Second, capital programs in the areas are self-supporting and, in waste water management and water supply, even "profitable" in the sense that service revenues help finance additions and improvements as needed. Third, broad interpretations of the legal authorities supporting county operations have allowed for the exercise of initiative to meet incipient problems.

Land use controls above and beyond conventional code and regulations administration remain undeveloped. This is a sensitive program area politically, since the feeling that a land owner has a right to determine how to use the land is very strong in and outside local government. Controlled, sequential development, planned unit development, and easements of various sorts are not readily accepted as good measures. Thus, while the counties have powers to zone and regulate building and subdivisions to protect buyer, seller, and neighbors from hazardous or unhealthy conditions, the more indirectly adverse environmental problems of pollution are not integrated into current land use guidance and control programs.

Public Utilities

Ohio Suburban Water Company

The Ohio Suburban Water Company is the only public utility of its type in the planning area which is regulated by the Public Utilities Commission of Ohio (PUCO). Ohio Suburban provides both potable water and sewerage collection and treatment services to an unincorporated area in Mad River and Wayne Townships of Montgomery County. The Company's service are (established under a PUCO Certificate of Convenience and Necessity) is generally referred to as Huber Heights.

At the present time, the company serves 9,800 customers and a total population of approximately 40,000. The waste treatment facility which has a capacity of 4.5 million gallons per day (mgd) currently handles an average flow of approximately 3.4 mgd at secondary levels of treatment with separate sludge digestion. The Ohio Suburban waste treatment facility is presently operating under a permit issued under the National Pollution Discharge Elimination System (Section 402 of the Federal Water Pollution Control Act Amendments of 1972) by the Ohio Environmental Protection Agency. The final permit conditions, which must be complied with by November, 1977, require a further reduction in the allowable concentrations discharged from the waste treatment facility. In order to attain the waste treatment levels necessary to comply with the final permit conditions, capital improvements to the existing facility would be required.

The facility plan (covering an area designated by the OEPA) for the North Regional waste treatment plant, developed by the Miami Conservancy District, recommends the construction of a 12 mgd regional facility at the present Ohio Suburban site, to serve the cities of Vandalia and Tipp City as well as unincorporated areas of Miami and Montgomery Counties. The facility plan proposes the purchase of the existing Ohio Suburban site and construction of a new treatment facility, utilizing the present facility for processing of sludge. The Ohio Suburban site, as well as being an existing waste treatment site, is located at the terminus of the facilities planning area and lends itself to service the geographic area included in the proposed service area. The Miami Conservancy District has been issued an NPDES discharge permit for the proposed North Regional waste treatment facility based on water quality requirements and the increased service area.

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As in other Miami Conservancy District wastewater treatment projects, the District will provide sewerage treatment services to local entities, by operation and maintenance of the treatment plant and major interceptors. Ohio Suburban and the other participants in the North Regional facility will own and operate their individual collection systems.

Appendix A

Township Synopses

BEAVERCREEK TOWNSHIP

I. GEOGRAPHICAL JURISDICTION

Beavercreek Township in Greene County abuts Montgomery County and is located between Sugarcreek Township to the south (Bellbrook) and Bath Township to the north (Fairborn). There are no incorporated jurisdictions lying within its boundaries.

II. BASIS OF AUTHORITY

Ohio Constitution, Article X, "County and Township Organization," and Title 5, "Townships of the Ohio Revised Code" provide the township with its authority. According to the Township, the statutory authority legislated to townships by the state is extremely weak; limiting the powers of the township trustees to principally ones of road maintenance and fire protection.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Existing and future water resource programs and plans depend entirely upon Greene County. The County operates the existing sanitary sewer system and will operate the water system if and when one is installed. The Township has no activities in this area.

B. Water Supply

As of the moment (December, 1975) water supply comes from individual wells except for a few new subdivisions where a small water system has been installed by the developer (utilizing temporary wells for the main source) for operation and maintenance by the County (under agreement). Two service agreement areas (Montgomery County and Montgomery County/City of Dayton) and the Sugarcreek water system in Bellbrook and two small systems in Beavercreek are owned and operated by Greene County.

Beavercreek belongs to the Greene County Health District which is responsible for well-water monitoring and septic tank installation permits among its duties.

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C. Land Use

In Greene County zoning administration is handled at the township level, thereby empowering the trustees to control land use to the extent available under this mechanism. Subdivision regulations, however, are the responsibility of the County Planning Office. A Township master plan, developed by Burgess and Niple of Columbus, has just been prepared and is on display for public inspection and comments.

D. Solid Waste

No discussion of activities in this area was included in the interview.

E. Storm Water

No information given on storm water programs.

F. Flood Control

No information is provided in the interview for the area.

IV. SIGNIFICANT DIFFERENCE BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

For twelve years, Beavercreek has been involved in litigation over incorporation. One citizen group originally petitioned for a small area, about the size of a large subdivision, to be incorporated while another, known as the "Committee of Eleven" preferred the whole township be included. Just as a compromise was about to be realized, the Cities of Kettering, Fairborn, and Dayton filed injunctions to stop incorporation proceedings; they apparently would like to annex parts of the township to tap its large tax base. Several legal actions are pending.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

According to the township clerk, Beavercreek, like all Ohio townships, is severely limited by legal and financial constraints. All operating monies come from property taxes collected by the County which are then returned to the Township. The funds colledted are barely enough to provide the necessary services, yet the Township cannot legally collect any other form of tax revenues.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

Beavercreek Township is independent and it prefers to remain that way. Except for the tiny villages of Clifton and Bowersville, Beavercreek is the only jurisdiction not a member of the Greene County Regional Planning and Coordinating Commission. It also does not belong to the MVRPC.

FRANKLIN TOWNSHIP

(1970 U.S. Census Population: 1,237)

I. GEOGRAPHICAL JURISDICTION

Franklin Township is an unincorporated portion of Darke County.

II. BASIS OF AUTHORITY

The basis of authority is found in Ohio Consititution, Article X, "County and Township Organization," and in the Ohio Revised Code, Title 5: Townships.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Septic tanks are the sole method of treating waste water; individual wells are the sole water source. The township has no sewer or water lines.

B. Water Supply

The township has no activities in this area.

C. Land Use

Franklin Township has adopted a zoning ordinance for regulating land use. The zoning inspector doubles as the building inspector. No zoning change could be identified as having occurred within the last three years.

D. Solid Waste

At this time there are no landfills or dumps in the township. Solid waste disposal is handled privately.

E. Storm Water

The ORC does give townships certain powers in establishing and maintaining ditches and drains. Specific instances in which Township ditch and drainage powers have been used in recent years could not be identified.

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One of the township's major responsibilities is the upkeep of township roads and the drainage ditches parallel to these roads. Franklin Township maintains the drainage along the thirty-one miles of township roads.

F. Flood Control

Franklin Township has no reported flood control programs.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

No differences were identified at the interview.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No constraints of either kind were identified.

VI. RELATIONSHIPS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Darke County -- A formal relationship exists with the Darke County General Health District which inspects plumbing, water supplies, septic systems and health nuisances.

The township has a formal relationship with the county engineer for road widening, repair and bridgework.

B. Regional

Miami Valley Regional Planning Commission -- The township has had a formal "service delivery" relationship with the MVRPC. Under a service contract, MVRPC developed the township's zoning ordinance.

C. State

No on-going formal or informal relationships were reported.

D. Federal

No water quality-related programs with federal agencies were reported.

JACKSON TOWNSHIP

(1970 U.S. Census Population: 1,170)

I. GEOGRAPHICAL JURISDICTION

Jackson Township is located in the northwest portion of Darke County. The township includes the entire unincorporated area of the county excluding Union City. In 1969, the township's area was reduced to its present size by Union City's annexation of a portion of the township on the city's south side.

II. BASIS OF AUTHORITY

Article X of the Ohio Constitution provides the legal basis for the existence of a township. Title 5, Chapters 501-521, set forth the duties, responsibilities and authorities of the township.

Sections 505.27-505.31 deal specifically with garbage and waste disposal. Provision is made for the creation of a waste disposal district where garbage and refuse disposal facilities are operated and maintained.

Chapter 519 sets forth township authority to zone land use.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Households in the unincorporated areas of the township have private septic tanks; the township does not own or operate a treatment facility or sewer system.

B. Water Supply

Jackson Township has no water supply or treatment facilities; water is supplied to township residents by individual wells. It does, however, support the county health department s monitoring, testing, and regulating of public water supplies by appropriating a fixed amount of its budget to the county.

C. Land Use

The Miami Valley Regional Planning Commission has developed township zoning ordinances which Jackson Township residents will have a chance to pass on this year. There is no comprehensive, or "master" plan for the township.

D. Solid Waste

Jackson Township does engage in solid waste disposal; the township contracts for the use of a private sanitary landfill which residents may then use "free of charge." Operating the landfill requires a county permit.

E. Storm Water

Storm water runoff within the township is by the county's drainage ditch system. Jackson Township may petition the county to make improvements or extensions; the county pays for them through direct assessments.

F. Flood Control

No significant activities in this area were reported.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

The township has a conservative attitude toward the expenditure of funds and operates on a balanced budget. With an extremely small revenue base, the township's capability to institute or continue programs is limited. Therefore, a gap exists between the township's authorities and the limited operatons which it engages in. For example, it does have the authority to issue bonds and borrow money but, thus far, has not utilized such authority.

The majority of the township's expenditures are for the construction and maintenance of roads. This is considered to be the township's most important function.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

The basic concern is insufficient funds to meet the rising costs of operation. A funding realignment with the board of health was suggested which would reduce the township share. No activities were perceived as being desirable additions to its present responsibilities. The financial situation of Jackson Township is relatively clear, due to the township officials' policies on spending and because of the limited revenues received. As previously noted, Jackson Township has incurred no bonded indebtedness.

As mentioned in Part IV, it has a balanced budget and consistently has funds available for transfer into the following fiscal years. Total yearly revenue for the past five years has steadily increased from approximately $35,300 in 1971 to $51,600 in 1975. This can be attributed primarily to the addition of federal general revenue sharing as a source of funds. Expenditures for road construction and maintenance have remained relatively stable over the last five years. The only other expenditure item related to the 208 program is the sanitary dump. Again, the contract cost has remained constant at $1,200 for the last four years.

VI. RELATIONSHIPS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Union City -- Jackson Township contracts with Union City for fire protection. Individual residents may also contract with Union City for water supply, if they so desire.

Darke County -- The township deals primarily with the county engineer and board of health on road and bridge construction and private well monitoring.

B. Regional

Miami Valley Regional Planning Commission -- Jackson Township has recently begun to take advantage of its membership in MVRPC by requesting assistance of the Commission's zoning specialists.

C. State

State Auditor -- Jackson Township regularly sends its budget to the Auditor's office for review.

MIAMI TOWNSHIP

(1970 U.S. Census Population: 1,074)

I. GEOGRAPHICAL JURISDICTION

Miami Township, an unincorporated portion of Greene County, includes within its boundaries the villages of Yellow Springs and Clifton, which are jurisdictionally independent of the township.

II. BASIS OF AUTHORITY

The township's authorities are set forth in the Ohio Constitution, Article X, "County and Township Organization," and Title 5, Chapters 501-521.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Miami Township residents rely on septic tanks; there is no collection or treatment system.

B. Water Supply

The township is served by private wells.

C. Land Use

Township controls land development through exercise of township zoning controls. In the zoning resolutions are restrictions upon development within flood-prone areas.

D. Solid Waste

There are no programs for solid waste disposal currently.

E. Storm Water

The township exercises responsibility for construction and maintenance of storm water drainage ditches.

F. Flood Control

No on-going programs for flood control were indicated in the interview.

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IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

No significant differences were indicated by township officials.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No constraints were raised at the interview.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Village of Yellow Springs -- Cooperation in planning areas of mutual interest has been achieved on an informal basis with the village.

Greene County -- A formal relationship exists with the Greene County Health Department concerning review, inspection and approval of all on-site wells and septic systems for township residents.

The township holds formal membership in the Greene County Regional Planning and Coordinating Agency. Planning service and subdivision approavl are provided on a formal basis. Review and comment on submitted rezoning proposals is conducted on an informal basis.

B. Regional

Miami Valley Regional Planning Commission -- MVRPC provides informal review and comment of planning proposals upon request and has provided formal planning assistance on a contractual basis resulting in the formulation of a township zoning resolution and zoning district map. MVRPC has prepared a proposed land development expansion pattern for the township as a segment of the regional development plan.

C. State

No relationships were identified by the respondent.

D. Federal

No relationships with federal agencies were identified.

PERRY TOWNSHIP

(1970 U.S. Census Population: 3,739)

I. GEOGRAPHICAL JURISDICTION

The current boundaries of Perry Township, an unincorporated area of Montgomery County, exclude the Village of Brookville and New Lebanon.

II. BASIS OF AUTHORITY

The general basis is found in Ohio Constitution, Article X, "County and Township Organization," and in the Ohio Revised Code, Title 5: Townships.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Septic tanks are the sole method of treating wastewater; individual wells are the sole water sources. The township has no sewer or water lines.

B. Water Supply

No activities at the township level exist.

C. Land Use

On July 8, 1975, the township voters approved a township zoning ordinance for the first time.

D. Solid Waste

There are no landfills or dumps in the township. Solid waste disposal is a private matter, a contractual relationship between residents and two or three private haulers.

E. Storm Water

One of the township's major responsibilities is the upkeep of township roads and drainage ditches related to those roads.

The ORC does give townships certain powers in establishing and maintaining ditches and drains. Perry Township is, according to the clerk, part of a county drainage and sewer district. No drainage petitions have been received by the Township clerk for at least eight years.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATION RESPONSIBILITIES

No significant differences were reported.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No major constraints were reported.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

No relationships were mentioned.

B. Regional

Montgomery County--A formal relationship exists with the Dayton-Montgomery County General Health District in the fields of service delivery, review and comment, and well and septic tank approval.

The township has a contractual relationship with the County Engineer for road work.

The township has an informal relationship with the Montgomery County Planning Commission. Prior to the July 8, 1975, approval of a township zoning ordinance, zoning changes within the township were reviewed by this Commission. The township clerk said that some residents felt communications between the Commission and the township on zoning changes were unsatisfactory.

C. State

No relationships noted.

D. Federal

No relationships noted.

Appendix B

Municipal Corporation Synopses

VILLAGE OF FARMERSVILLE

(1970 U.S. Census Population: 865)

I. GEOGRAPHICAL JURISDICTION

The existing village limits have not changed since 1970; Farmersville is located in Montgomery County.

II. BASIS OF AUTHORITY

The basis for the village is provided by Article XVIII, Municipal Corporations, of the Ohio Constitution.

Farmersville functions under a statutory form of government with a mayor and council. Additionally, a Board of Trustees of Public Affairs has been created, as authorized by ORC Section 735.28.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Farmersville has a treatment plant for which a National Pollution Discharge Elimination System (NPDES) permit has been issued. The village has a separate sanitary and storm sewer system. There are, apparently, no extensions of sanitary or storm sewers beyond village limits.

B. Water Supply

The village has a water system which serves its residents. The line is extended beyond the village limits to Valley View School District's high school. The arrangement is a contractual one with the school district which provides that anyone living along the line may tap into it. Within the past few years, the water system has been upgraded by the installation of new pumps. The village water supply rates allow the system to be self-sustaining.

C. Land Use

Farmersville has a planning commission which is not staffed. One person serves as both the part-time building and zoning inspector.

D. Solid Waste

The disposal of the village's solid waste is handled by franchising contract haulers who offer services to village residents.

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E. Storm Water

No activities in this area were mentioned.

F. Flood Control

There are no flood control or flood plain management activities.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

None were mentioned.

V. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Montgomery County -- There are few formal or informal relationships between the village and the county. The most formal arrangements are those with the county engineer for road construction and maintenance service on a county-wide service contract bid program; and the payment of an annual fee to the county health district for the services provided.

B. Regional

The village is not a member of MVRPC or TCC, but it does come under the A-95 review process of MVRPC. The Miami Conservancy District does not work in the village itself but in surrounding townships on flood control and creek projects.

C. State

The village has a formal relationship with OEPA through the latter's regulation and monitoring of wastewater treatment operations, and the issuance of NPDES permits.

Farmersville has a formal relationship with the State Auditor's Office in that village financial records must be sent in yearly and must be approved by the State.

VILLAGE OF GRATIS

(1970 U.S. Census Population: 621)

I. GEOGRAPHICAL JURISDICTION

The village of Gratis occupies an area of .91 square miles in Preble County.

II. BASIS OF AUTHORITY

Constitutional authorization is provided in Article XVIII of the Ohio Constitution.

The various powers of a village are provided for through the following Ohio statutes:

General Powers	ORC	Chapter 715
Sewer Assessments	ORC	Chapter 729
Public Service	ORC	Chapter 735
Public Utilities	ORC	Chapter 743

The Gratis functions under the mayor-council form of government.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The village has no sewer systems or treatment facilities. In 1969 it applied for HUD aid of construction of a sanitary sewer system. No response has been received as yet. The entire village is presently served by individual septic tanks.

B. Water Supply

The village currently provides water to all residents and serves a limited area beyond its borders.

Gratis has applied to OEPA for $75,000 in program funds to upgrade the village's water treatment plant. The 25% local share will be borrowed from Farmer's Home Administration.

C. Land Use

Gratis is in the process of adopting a zoning ordinance and subdivision regulations which will serve to control land development patterns and assure minimum standards in provision of supportive facilities. Flood plain zoning controls will also be adopted as part of this program, although only a very small portion of the village is subject to periodic flooding.

Building inspection is presently provided through Preble County building inspection personnel, although the village plans to hire its own inspector in the future.

D. Solid Waste

The village does not participate in any solid waste activities.

E. Storm Water

The village maintains a storm drainage system in conjunction with the county ditch system.

F. Flood Control

Gratis has no programs for flood control or for flood plain management.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

Although the village has the capacity to control water pollution, the county health department functions in this capacity for the village. As previously stated, the county exercises building code administration for the village.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

Village funds have never been adequate for effective operation. The prevailing village wage scale is a decided constraint upon personnel recruitment.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

A formal mutual aid agreement exists for fire protection assistance with surrounding jurisdictions.

The county health department reviews all proposals for septic tank installation within the village.

Building permits and building inspection are provided by the county.

The county engineering department maintains the county ditch system serving storm water drainage needs within certain areas of the village.

B. Regional

Miami Conservancy District -- The Miami Conservancy District approves all water well plans within the village.

Miami Valley Regional Planning Commission -- The MVRPC is currently working with the village in controlling land development through zoning administration, as well as the design and construction of subdivisions and supporting facilities through formulation of subdivision regulations. MVRPC exercises formal review and comment on all village projects requiring A-95 review. MVRPC serves local planning needs in both an informal as well as contractual service agreement. Gratis holds formal membership in MVRPC.

Regional Air Pollution Control Agency -- The RAPCA exercises formal review and comment, approval and planning functions on items pertinent to air pollution consideration.

Law Enforcement Assistance Administration -- The LEAA exercises formal review and comment, approval, funding and planning functions for projects falling under its jurisdiction.

C. State

Ohio EPA -- The OEPA exercises a formal position in regard to review and comment, approval, funding and planning activities for all village activities falling within its jurisdiction.

Ohio Department of Natural Resources -- The ODNR provides limited planning assistance on an informal basis.

Ohio Department of Economic and Community Development -- The DECD also provides informal planning assistance.

Ohio Municipal League -- The Ohio Municipal League provides informal review and comment and planning assistance upon request. Gratis holds formal membership in this non-governmental organization.

D. Federal

Gratis has no specific relationship with any federal agency.

VILLAGE OF PLEASANT HILL

(1970 U.S. Census Population: 1,025)

I. GEOGRAPHICAL JURISDICTION

Pleasant Hill covers about 4.2 square miles in Miami County. Recent additions have been limited to the annexation of the village school.

II. BASIS OF AUTHORITY

The Ohio Revised Code, Chapters 715, 727, 729, 735 and 743 provide Pleasant Hill with its legal authorities. The village is unchartered.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Pleasant Hill has a sewage treatment plant, but it only provides primary treatment. The village will contract with MCD for the construction, operation, and maintenance of an expanded plant with secondary capacity. Current sewer rates are $13 a quarter.

B. Water Supply

Village residents are served from a distribution system and series of wells owned by Pleasant Hill. Water quality problems have been experienced with the supply; two wells were abandoned because of high iron content and sand infiltration. One new well is planned for the future. The Miami aquifer serving Pleasant Hill is one of the best in Miami County and should be adequate for the next 20 years.

C. Land Use

The village has no comprehensive plan or any type of general land use guidelines. Zoning ordinances and subdivision regulations are used to direct growth within the village. The Planning Commission of three members administers the regulations and ordinances.

D. Solid Waste

Pleasant Hill has a service contract with the General Refuse Company to collect and dispose of garbage. The village refuse goes to the county's incinerator.

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E. Storm Water

Storm drainage is a minor problem; occasionally back-ups in street drains will occur in the older sections of town. Most of the village is drained by an underground tile system.

F. Flood Control

Pleasant Hill is not located in a flood plain and therefore has no flood control ordinances or programs.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITIES AND ACTUAL OPERATING RESPONSIBILITIES

No significant problems were mentioned.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No constraints were mentioned.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Miami County -- Pleasant Hill has informal relationships with the county engineer, whose office has formal authority over the drainage ditches in the village.

The county planning department and the village exchange information on matters that affect each other.

Pleasant Hill is a member of the Miami County Council, a group which discusses common issues within the county.

The county health department is responsible for testing treatment plant effluent, private wells, and septic tanks.

B. Regional

Miami Conservancy District -- As mentioned in Section III, the village has a formal agreement with MCD to turn over the treatment plant in exchange for upgraded treatment levels and expanded plant capacity.

C. State

The village has no active involvements with state agencies.

D. Federal

Pleasant Hill is not directly engaged in any federal programs.

VILLAGE OF YELLOW SPRINGS

(1970 U.S. Census Population: 4,624)

I. GEOGRAPHICAL JURISDICTION

Yellow Springs' corporate limits encompass approximately two square miles in Greene County. There have been no annexations to the village since 1970 and none are contemplated in the near future.

II. BASIS OF AUTHORITY

The village was incorporated and chartered in November of 1950. Statutory authorities are described in Chapters 715, 729, 735 and 743 of the Ohio Revised Code. A Village Manager is appointed pursuant to Section 18 and Article IV of the village charter as provided for in ORC Section 735.271.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The village owns and operates a sewage treatment plant; rates to the users are set on the basis of water consumption. Village ordinances require private land owners to tap into the system if a sanitary sewer is available. This rule is not however, rigidly enforced; there are still some 35-40 residences which use septic tanks. Tap-ins are enforced only when septic tank problems arise, or when permits are requested from the county for the installation of a septic tank. In instances when a sanitary sewer is available, the county is reluctant to issue a permit, since it is the county which must regulate all tanks. Consequently, the village and the county work together to encourage tie-ins with existing lines.

B. Water Supply

Yellow Springs operates a water supply system. In addition to the public supply, there are a number of private wells inside the corporate limits, but a few of these may be used for domestic purposes. Consumption from the public water supply is metered and billed by the village.

C. Land Use

Land use-related activities are limited to the administration of zoning ordinances and subdivision regulations. Present ordinances, as well as the village land use plan, are now outdated. The comprehensive plan is under revision so that the village may be prepared if and when development pressure comes. A planning commission exists but there is no staff to support it. The village manager's office offers staff support.

Most of the village's efforts in this area have been in the development of a green belt to the west. Glen Helen Nature Preserve, operated by Antioch College, abuts the village to the east and south. Initial financial backing for Yellow Springs' program of purchasing conservation easements and development rights came in the form of a HUD-assisted project. Funds are no longer available but the village sets aside $25,000 annually for this purpose. While support within the village for the green belt continues, there is some disagreement on whether the inner limits of the belt have been set close enough to the corporate boundaries to act as a buffer against the growth originally envisioned.

D. Solid Waste

Yellow Springs operates a collection system, charging all customers a fee based on the quantity, frequency and location of collection. A private hauler, licensed by the village, does some collecting from non-residential customers; the village levies no charge on privately served customers. A private landfill in Clark County is used for the ultimate disposal of the wastes.

E. Storm Water

The village engages in storm drainage projects only when they can be coordinated with street resurfacing or reconstruction. Village ordinances require that roof drains be connected to the storm system, rather than the sanitary sewer system.

F. Flood Control

Yellow Springs engages in flood control activities to the extent required for participation in the HUD federal flood insurance program.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITES

Yellow Springs exercises most of its statutory authorities, including flood control and storm drainage control within technical, physical, and economic constraints.

Village council members are not involved in the day-to-day decision-making but tend to be more involved in long-range planning efforts. The professional staff handles daily affairs.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

A possible administrative constraint on the village's present operations is the fact that user fees and taxes have been well below what is required to operate effectively. Utility rate ordinances were adopted in 1966 and those for water, sewage, and refuse collection have not been revised since then. At this time utility and other service user-fees have been and are being raised, so the village's ability to provide its past level of service may be able to continue unimpaired.

In the same vein, salary scales and benefits are being revised to make village employment more attractive. This applies particularly to the Public Safety Department. Efficiency seems low in the Utility Department as well, apparently because most of the employees are older than average, have a great deal of tenure, and are difficult to replace with younger men at the same salary level.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Greene County -- There are several relationships at the county level. There is an informal exchange of information and ideas with the county sanitary engineer. Relationships with the county engineer are also rather informal. The county engineer, as previously noted, does exercise jurisdiction over some bridges and culverts within the corporate limits. Informally, the engineer provides some technical advice on street construction and repair and is the first source of tax money for such purposes. There is a close jurisdictional relationship between the village and county board of health. The board of health enforces codes in areas relating to housing, plumbing, and general sanitation in a coordinated fashion with the village.

The board of health monitors drinking water quality through its inspection of food establishments. It occasionally monitors the effluent from the sewage treatment plant and sludge disposal.

Greene County Planning Commission -- Yellow Springs is a member of the commission and participates directly in all of its activities. The commission is careful to make sure that the village plans are respected. The commission is encouraging developers in the nearby areas outside the corporate limits of the village to provide dry lines for water and sewer even though the village has declined to provide service.

B. Regional

Miami Valley Regional Planning Commission -- The village is an active participant in MVRPC A-95 review process.

C. State

Attorney General -- There is an on-going relationship with the Attorney General's office as the village exists at the pleasure of the State. The Auditor's office reviews the village financial statements. The OEPA issues the permits governing the discharge from the sewage treatment plant and establishes drinking water standards. There is very little interaction with DECD and ODNR. There is coordinative relationship with District 8 of ODOT, most recently involving traffic signs and bridge inventory records review. There was also the one request to OWDA for loan funds to upgrade the sewage treatment plant.

D. Federal

U. S. Department of Housing and Urban Development -- The only federal agency with which the village has any appreciable contact is HUD. There is a continuing grant for a community center. There was also previous involvement with HUD in the area of open space. Most recently, the HUD flood insurance program has precipitated some direct contact.

CITY OF CENTERVILLE

(1970 U.S. Census Population: 10,333)

I. GEOGRAPHICAL JURISDICTION

Centerville has a population of about 11,000 and is located in southern Montgomery County.

II. BASIS OF AUTHORITY

The legal authorities under which the city operates are detailed in Chapters 715, 727, 729, and 743 of the Ohio Revised Code.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Centerville does not own or operate a treatment system. Service is provided to the residents by Montgomery County.

B. Water Supply

The county also supplies Centerville residents with potable water

C. Land Use

The city administers zoning, building and subdivision regulations. There is a comprehensive plan covering both Centerville and Washington Township.

D. Solid Waste

Centerville is not part of the county solid waste district. Residents contract directly with private haulers who use the county's incinerator.

E. Storm Water

No specific mention of storm drainage programs was made.

F. Flood Control

Centerville participates in a HUD flood insurance program.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

No major differences were mentioned.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

None were mentioned.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Montgomery County -- As mentioned above, the county provides the essential services of sewerage, water supply, and health service. The city speaks for its residents on matters of service rates and quality. Centerville also reviews any service line extensions within the coproration's limits.

Washington Township -- Centerville depends on the township for fire protection, the costs of which are paid through a tax levy. A joint township-city park district exists.

CITY OF DAYTON*

(1970 U.S. Census Population: 242,917)

I. GEOGRAPHICAL JURISDICTION

Dayton, located in Montgomery County, has a total area of approximately 29,900 acres, or 43.6 square miles. Between 1970 and 1974, the city was involved in 23 annexations involving some 3,400 acres. The annexations followed no particular directional pattern except that none were to the south where the city is bordered by other incorporated areas.

II. BASIS OF AUTHORITY

The legal authorities under which the city functions are found in Chapters 715, 727, 729 and 743 of the Ohio Revised Code (ORC). Article XVIII of the Ohio Constitution which deals with municipal corporations also applies. Dayton is a charter city and has a city-commission/manager form of government.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The city has separate sanitary and storm sewer systems. The sewage treatment plant was upgraded in 1972. Some bypassing of the sanitary sewer to the storm sewer is provided to take care of overflow situations. The extension of sewer lines beyond the corporate limits is done by contractual agreement.

The rate structure for the city and areas outside it is different. At bulk meters, areas outside the corporate limits are charged the basic city rate plus 50%. On individual meters outside the corporate limits, the basic city rate plus 25% is charged. No provision is made in the rate structure for the strength of the industrial waste, due to the expense of administering a more complex industrial program.

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*Most of the information for this synopsis came from interviews with Department of Water personnel.

The city can refuse to accept waste but the authority to do so is not specified in the ordinances, but rather vaguely in the building codes. Some problems of industries with very high BOD or acid discharges requiring pretreatment exist, but generally there is cooperation between the city and industry on the strength and make-up of wastes which can be put into the sewer system.

The city has its own monitoring system above and below the sewage treatment plant. Wells have been drilled specifically for monitoring purposes to detect any degradation of the ground water quality near the sewage treatment plant. Since there is a landfill inside the city, there is some concern about leachate from it contaminating the underground water. There is also the problem of the Ohio Suburban treatment plant discharging its effluent just above Dayton.

B. Water Supply

The city has a policy of not providing water service to the areas outside corporate limits unless the property owners agree to cooperate in annexation. The city and Montgomery County have prepared a joint master plan for water and sewer service. There are a number of areas where the city has agreements with the county to provide water to county residents. To the northeast and southwest, the City Commission has not chosen to renew these water contracts unless annexation action has been taken. Even without annexation, all expansion of water service is dealt with under the master plan. A water facilities and distribution plan is published as a single document and was last updated in 1970.

The city has been involved in an aquifer recharge project for a number of years. The project is a series of diversion dams behind which the water is held at sufficient depth for gravity to force it back into the aquifer.

C. Land Use

The city exercises some control on development through its right to review plats within three miles of its boundaries in unincorporated areas of the county. The city's power does not cover vetoing plats it disapproves of.

Land use is taken into consideration in the development of sewer and water master plans. However, the extension of sewer and water service is not viewed as a tool for implementing the land use plan. Rather, sewer and water service must catch up with or keep pace with development, not outdistance it.

The city can subsidize water and sewer services out of general revenues, but the county cannot. The county must assess the beneficiaries. Further development in outlying areas can be curtailed until sewer and water service is provided through expanding or enlarging the trunk sewer system or expanding treatment plant capacity.

Dayton is now in the process of updating its land use plan. The city's aggressive annexation policy has been used for the purposes of encouraging industrial development, alleviating center city disintegration, and providing opportunities for residential development.

D. Solid Waste

Solid waste disposal is a function of the county government. The city collects waste and delivers it to county disposal facilities, which are a joint city-county effort in planning and construction.

E. Storm Water

The responsibility for storm water control falls under the jurisdiction of the Water Department, while storm sewer construction is under the jurisdiction of the Department of Service and Building. The Water Department maintains and operates the storm sewer system. Storm water sampling at sewer outfalls was undertaken by the city initially, but is now performed by the Ohio EPA through its Southwest District Office. There are some pollution problems caused by spills and overflows. The city attempts to find and stop unlawful dumping of wastes into the sewer system.

F. Flood Control

Most of the activity in this functional area is conducted on the city's behalf by the Miami Conservancy District. The District developed the flood protection plan for both the water treatment and waste water treatment plants. Flood plain zoning is controlled by the Dayton Plan Board. Dayton participates in the HUD flood insurance program.

G. Transportation

The Department of Service and Building is responsible for all transportation-related activities.

Side road drainage ditches were approved for Newfields, the "New Town" in Madison Township, and these may cause some problems. There are no curbs or gutters per se, and the ditches drain into holding lakes.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

There is some question whether water withdrawal by industry should be regulated. Rules developed to regulate withdrawal might be misused. While the city would like to have additional customers, many industries do not need treated water, and it would be an added expense for them to connect to the city system. There are very few commercial customers who should be on the city system but the city does not have the authority to force them to connect without help from the City-County Health District or OEPA, which has the legal powers.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

There are no immediate legal constraints apparent.

A major problem will be the need to dispose of increased amounts of sludge which are generated by the use of lime in water softening treatment process. In addition, tremendous volumes of sludge generated from waste water treatment will need to be disposed of by incineration or on land. If additional energy is not available for sludge incineration from the sewage treatment process, land disposal is the only practical alternative.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

The Water Department does some laboratory work for local entities.

Montgomery County -- There is continuing liaison contact with the county sanitary department on sewer, water, and solid waste matters. There is also contact with the county health department and an indirect relationship with the county engineer on storm drainage matters.

B. Regional

Miami Conservancy District -- The city is a member of the Miami Valley Water Quality Committee which functions under the auspices of the MCD. The Water Department has dealings with the Area Development Council, the Health Planning Council, the Miami Valley Regional Planning Commission, and the Transportation Coordinating Committee. The Water Department must adhere to RAPCA-enforced air quality standards when the department incinerates sewage sludge.

C. State

Ohio EPA and DNR -- The principal state agencies with which the Water Department deals are OEPA and ODNR. The recreational facilities (Eastwood Lake,etc.) contiguous to the city's well fields near the Mad River were developed with state and federal resources.

D. Federal

U.S. EPA -- Besides the normal relationship which most cities have with the U.S. EPA, Dayton serves in a consultation role as relates to water treatment.

Corps of Engineers -- The Water Department deals with the Corps indirectly through the Miami Conservancy District on flood protection for its facilities.

Department of Defense -- The city is inspected annually by the Department of Defense, because it is considered to be in the category of a critical industry.

CITY OF EATON

(1970 U.S. Census Population: 6,020)

I. GEOGRAPHICAL JURISDICTION

Eaton, located in Preble County, encompasses about 3.8 square miles; the city's boundaries have not changed since 1970. However, the city does expect to annex about 330 acres to the north of its limits.

II. BASIS OF AUTHORITY

Eaton's basis of authority is the Ohio Revised Code, Chapters 715, 729, 735, 743 and the Ohio Constitution Article XVIII. A city manager - council form of administration is specified in the city's charter.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Eaton's sewer system was constructed in 1911. The original treatment facility was for primary treatment only. In 1965, a secondary system was added and, in 1973, a trunk line was extended to County Garage Road. Ohio EPA has decided that a tertiary system is now needed and the city has begun preliminary studies with the help of a private consultant.

In addition, to an increase in treatment levels, plant capacity must be increased from .75 mgd to 1.5 mgd to meet anticipated flows. Eaton extends sanitary trunk lines into the county as specified in its Section 201 facilities plan. County users pay 150% of the rates charged to city residents.

B. Water Supply

Eaton's water is supplied by a series of wells just outside the city -- some on the north side, some on the east side. A new treatment plant near the east side wells is now serving all users; the old plant has been shut down but remains available if an emergency arises.

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C. Land Use

Eaton expects to update its 1968 comprehensive land use plan by July, 1976, and has hired a full-time planner to draft the revisions. The planner will also be responsible for coordinating all the various planning activities Eaton is involved in. The city has zoning ordinances to cover planned unit development, flood plains, and subdivisions. Urban development within the city has taken the form of light industry moving into the area. To date the city has not exercised its prerogative to have industries pretreat wastes before discharge into the municipal system. Eaton exercises some influence on peripheral development through its review powers over plats within a three mile range of its boundaries.

D. Solid Waste

Eaton runs its own refuse collection system, disposing of residents' wastes in the county landfill.

E. Storm Sewers

Storm drainage problems within the city are handled by the county engineer, to whom Eaton makes petition for designs and construction. Improvements are financed by assessing the benefactors.

F. Flood Control

The city participates in a HUD flood insurance program, although few of its structures are located in the flood plain. As mentioned above, zoning ordinances include provisions for flood plain occupancy.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

There are no known differences between operations and authorities.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No obstacles were cited at the time of the interview, in part because Eaton is not involved in any major capital improvements at the present time.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Preble County -- Eaton has working relationships with the county engineer's office for storm drainage and bridge construction and maintenance. The city and county support a health department.

B. Regional

Miami Valley Regional Planning Commission -- Eaton is an active member of the MVRPC and participates in the Commission's A-95 review procedures.

Regional Air Pollution Control Agency -- The RAPCA has an office in the county and monitors air quality for the city.

Miami Conservancy District -- Eaton can request MCD assistance for sample analysis at the lab operated by the District and the University of Dayton.

C. State

Ohio EPA -- The OEPA exercises final approval on all funding to the city for water pollution control projects.

Ohio Department of Transportation -- The ODOT reviews and approves funding for state highway projects affecting Eaton.

D. Federal

Eaton has no formal relationships with any federal agency.

CITY OF GREENVILLE

(1970 U.S. Census Population: 12,380)

I. GEOGRAPHICAL JURISDICTION

Greenville, located in Darke County, encompasses about 3.17 square miles.

II. BASIS OF AUTHORITY

The legal authority under which the city functions is found in Chapters 715, 727, 729, and 743 of the Ohio Revised Code. City government is a mayor-council form of administration.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Greenville owns and operates a secondary treatment plant and separate storm and sanitary sewer systems. The plant was built in 1969 with local funding only; U.S. EPA has recently reimbursed the city for 50% of its capital costs. John R. Snell Engineers of Lansing, Michigan, has performed infiltration and sludge disposal studies for the city.

Extensions to the collection system are financed through property taxes levied after annexation, rather than the common method of special assessment. User's fees are not considered adequate to cover the costs of extension. Greenville's annexation policy is offset by the County Board of Health's decisions on what kind of treatment facilities must be provided in developments on the city's periphery. The city follows the recommendations of the county health department staff.

B. Water Supply

The city operates its own water supply system, drawing from Greenville Creek and from local wells.

C. Land Use

Greenville has a planning commission which occasionally calls on MVRPC for planning assistance. No revisions to the 1968 comprehensive plan have been scheduled yet. Zoning ordinances are linked to the recommendations of the plan and include a section on flood plain occupancy. Greenville has no building code.

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D. Solid Waste

The refuse from Greenville is dumped in a city-owned landfill. Collection and hauling arrangements were not mentioned.

E. Storm Water

Storm sewers carry the city's runoff directly to streams draining the area. The latest extensions to the drainage system were constructed for a park on a 50/50 funding plan with the federal government. The city makes no attempt to control agricultural runoff within its boundaries.

F. Flood Control

As a participant in HUD flood insurance programs, Greenville has included zoning ordinances for the flood plain portions of the city in its regular zoning codes.

IV. SIGNIFICANT DIFFERENCES BETWEEN STATUTORY AND CONSTITUTIONAL AUTHORITY

No differences were reported.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No differences were reported.

VI. RELATIONSHIPS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

No significant relationships or working arrangments with other local governments were reported.

Darke County -- The county must review and approve Greenville's budget, as required by the Ohio Revised Code. There is a working agreement between the city and county park districts.

In addition to these arrangements, the city and county health departments share a staff. The county and city maintain separate boards to direct the activities pertinent to each one.

B. Regional

Miami Valley Regional Planning Commission -- Greenville is an active member of MVRPC and participates in the Commission's A-95 review process.

Regional Air Pollution Control Agency -- The RAPCA maintains an air quality monitoring station in Greenville.

C. State

Ohio EPA -- The OEPA monitors a landfill owned by the city; it would act as the review and approval agency should state or federal funds for water pollution control be awarded to Greenville.

Ohio DOT -- The Ohio Department of Transporation has a formal arrangement with Greenville that covers all planning, programming, and maintenance of state highways inside the city. The city's public works department apparently works fairly closely with the ODOT staff on highway projects.

CITY OF PIQUA

(1970 U.S. Census Population: 20,741)

I. GEOGRAPHICAL JURISDICTION

Since 1970 Piqua, located in Miami County, has expanded to encompass 6.129 square miles. The most recent addition was a commercial area on the city's east side.

II. BASIS OF AUTHORITY

The city's powers and responsibilities are set forth in the Ohio Constitution, Article XVIII, and the Ohio Revised Code, Chapters 715, 729, 735 and 743.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Piqua owns and operates a sewage treatment plant which is being expanded with 201 funding. Additional plans for expansion of the sewer system depend on HUD action on Piqua's request for a Community Development grant. Although Miami County has adopted a county-wide sewer and water district, the city does provide areas outside its boundaries with water and sanitary sewerage service.

B. Water Supply

The city pumps its drinking water supply from the Miami River. It is responsible for water treatment plant operations and a distribution system. The city provides water to nearby county residents through an informal agreement with the water distribution system to serve the northern, eastern, and western portions of the community. The facilities will include 10" and 20" mains, a pumping station, and 1 mg storage tank.

C. Land Use

No specific mention of land use regulations was made in the interview. However, planning services are available to the city by the county on both an informal and a contractual basis.

D. Solid Waste

Solid waste collection is provided by private haulers and the city. Both use Miami County's incinerator.

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E. Storm Water

The city maintains a storm water drainage system which serves the districts established and controlled by it.

F. Flood Control

Piqua has entered into the HUD Flood Insurance Program and has revised its codes to comply with the program requirements.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

Respondents for the city states that it is probably not taking full advantage of the authority vested in it. For example, they felt that more could be done in the water quality area by Piqua within its watershed, if resources were made available.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

A. Local

Miami County -- Miami County has formally agreed to the establishment of sanitary sewer areas within the county that will be served by Piqua rather than the county. A comprehensive plan for the city and the service areas outside its boundaries has been formulated and adopted. Piqua contracts with the county for use of Miami County's incinerator and landfill.

B. Regional

Miami Valley Regional Planning Commission -- The Miami Valley Regional Planning Commission serves local planning needs on both an informal as well as contractual service basis. Piqua holds formal membership status in MVRPC. MVRPC exercises formal reviews and comment actions on all city projects requiring A-95 review.

Regional Air Pollution Control Agency -- The RAPCA exercises formal review and comment, approval, and planning functions on items pertinent to air pollution consideration.

C. State

Ohio EPA -- The OEPA reviews and passes on those city activities which fall within the agency's jurisdiction, namely those concerns of air and water quality requiring state action or approval.

D. Federal

U.S. Department of Housing and Urban Development -- During the spring of 1975, the city submitted an application to HUD under its Community Development funding program to provide a sanitary sewer collection system for the neighborhood of Riverside which comprises a low income area within the southern portion of the city. The project cost estimate amounts to $350,000, of which 50% would be provided from HUD. A similar request was submitted in 1973 but was returned to the city upon impoundment of HUD funding at that time. The 1975 application is still pending.

CITY OF VANDALIA

(1970 U.S. Census Population: 10,796)

I. GEOGRAPHICAL JURISDICTION

Vandalia, located in Montgomery County, has not changed its limits since it annexed twenty-six acres in the early 1970's. There is a proposal before the planning commission to annex a portion of Butler Township to the city.

II. BASIS OF AUTHORITY

The powers and responsibilities of the city are enumerated in the Ohio Constitution, Article XVIII, and the Ohio Revised Code, Chapters 715, 729, 735 and 743.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The city owns and operates its own waste treatment plant. The facility needs to be upgraded but may not be since Vandalia has decided to join a group of users to be serviced by a regional plant being planned by MCD. Vandalia, Montgomery County (representing the unincorporated areas within its borders such as Wayne Township) and MCD have signed a three-party agreement for the preliminary development of the North Regional Treatment Plant.

B. Water Supply

The city maintains its own water supply from natural wells but also buys water from Dayton. A plan is being evaluated to use the city's water supply as a source of treated industrial water for private users.

C. Land Use

In the area of land use the city has instituted a limited growth policy in selected areas by encouraging the preservation of agricultural and natural areas and by regulating real estate development with mandatory tie-ins to existing service lines. The city's Planning Commission, through its Board of Appeals, exerts what pressure it can to guide development. The city has a comprehensive plan as well as zoning ordinances.

D. Solid Waste

Solid waste collection is handled through a franchise agreement with a private contractor who dumps at Montgomery County's incinerator.

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E. Storm Water

No information was given on storm sewers or storm drainage.

F. Flood Control

No information was given on flood control or flood plain management.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

Vandalia is currently using all the powers available to it in the functional areas of waste treatment, water supply, land use, and solid waste.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

From the analysis of the city's financial information there are no major financial or staffing constraints in the community. Vandalia has an excellent financial position and its wage scale is the third highest for a city of its size in Ohio.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

City of Dayton -- Vandalia -- Vandalia has a formal contract with Dayton to buy water for domestic use.

Montgomery County -- The city delivers its solid wastes to the county's incinerator.

B. Regional

Miami Valley Regional Planning Commission -- The MVRPC provides some technical assistance to the city and performs all A-95 review.

Regional Air Pollution Control Agency -- The RAPCA monitors air quality in and around Vandalia.

Miami Conservancy District -- The MCD engages in facilities planning and flood plain management.

C. State

At the state level the city has relationships with the Ohio Environmental Protection Agency, the Ohio Department of Economic and Community Development, and the Ohio Water Development Authority. These agencies regulate grant and loan programs for which the city has applied or is actually receiving funds.

D. Federal

Vandalia, at present, has no specific relationship with any federal agencies in the area of waste water management.

Appendix C

County Synopses

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DARKE COUNTY

(1970 U.S. Census Population: 49,141)

I. GEOGRAPHICAL JURISDICTION

Darke County's jurisdiction is limited to the 605 square mile area inside its boundaries. There are 20 townships, 16 villages, and one city in the county. No land has been added to the county since 1970.

II. BASIS OF AUTHORITY

Article X of the Ohio Constitution sets forth the organization and government of counties in general and provide for the adoption of county charters. Chapters 6103 and 6117 of the Ohio Revised Code promulgate the authorities germane to county water quality management.

Chapter 6103 outlines the authority of county governments as they relate to water supply systems. It gives the Board of County Commissioners authority to set water utility rates, to issue bonds for system construction, to construct actual improvements, to levy special assessments, to contract to supply water outside the water district, and to exercise the right of eminent domain.

Chapter 6117 authorizes county governments to construct and maintain sewer systems through the establishment of sewer districts, to issue bonds, levy taxes and assessments, and acquire land for utilities by eminent domain.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Darke County owns no treatment plants or collection system. Rural residents rely on septic systems. City and village residents are served by small municipal systems, where they exist, or by individual septic tanks.

B. Water Supply

The county owns no water treatment plants. Here again rural residents obtain water from private wells, while municipalities have their own systems.

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C. Land Use

Land use controls are being drawn up by the county. The county does have a planning commission but not a zoning commission. The planning commission is presently preparing subdivision and zoning ordinances for adoption. No countywide comprehensive plan exists. A building code was adopted September 1, 1975. An MVRPC staff member assists the planning commission on a part-time basis. A six-year soil mapping program is scheduled to begin in 1978.

D. Solid Waste

No services or facilities for solid waste disposal were mentioned in the interview.

E. Storm Water

Storm water management projects are restricted to the control of runoff on county road construction projects by drainage ditching. The county assists the townships in the maintenance of their road systems. Small scale storm water projects are undertaken when county residents petition the county to do so.

When a petition is accepted by the Board of County Commissioners, the county engineer's office handles the actual construction. Projects are paid for through special assessments on the residents affected.

F. Flood Control

Darke County has no operating programs in flood control or flood plain management, but is preparing to enter the HUD flood insurance program, since a portion of the county has been designated flood prone.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

Darke County's involvement in water quality control programs is limited to drainage ditching along county roads and preparations for a HUD flood insurance program. Thus, the major differences between potential and actual operations center on the low level of involvement where many authorities remain unused. This situation is a consequence of the relatively small demand for such services. Water and sewerage are taken care of at the municipal level; solid waste is handled at the same level. Land use planning remains relatively uncoordinated with water quality problems.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No constraints are felt because the level of activity is fairly low. The county has a small budget but, at present, no bonded indebtedness.

A review of the county's 1974 appropriations give one indication of how important water quality programs are to it. In that year $6,500 was allocated for sanitation and drainage; $5,700 was earmarked for county planning. Combined, these two figures account for less than 1% of the total appropriations, some $ 3.9 million.

The largest allocation in the budget went to the county engineering department for road and bridge construction and maintenance.

Darke County operates on a balanced budget and has no outstanding debts. Bond issues will only be used as a last resort to gain finances for the county.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

City of Greenville -- The county and city operate jointly the health facilities of the county, while each maintains its own health board.

Preble County -- The Darke and Preble County Health Departments loan people back and forth as the need arises (e.g. to cover spots during vacations).

Darke County townships -- The county cooperates with townships to provide roads for the residents.

B. Regional

Miami Valley Regional Planning Commission -- The MVRPC provides technical assistance and land use planning expertise to the county on request.

Wabash Conservancy District -- Occasional assistance to the District has come from the county's engineering office.

C. State

Ohio EPA, ODNR, DECD, and ODOT -- Each of these state agencies reviews and approves requests from the county for grants and loans in the areas of facilities planning, water pollution control, community development, and transportation planning.

D. Federal

U.S. Department of Housing and Urban Development -- Darke County has applied for Community Development funds from HUD and has had contact with the Farmer's Home Administration in the area of low and moderate income housing. However, the county has no major program underway with any federal agencies at present.

GREENE COUNTY*

(1970 U.S. Census Population: 125,057)

I. GEOGRAPHICAL JURISDICTION

Greene County comprises 12 townships, 6 villages, and 3 cities, covering 415 square miles. The largest community within the county is the city of Fairborn, home of Wright-Patterson Air Force Base, a major contributor to the county's economy. The City of Xenia, recovering from a devastating tornado in April, 1974, is the centrally-located county seat. Influenced by the highly urbanized sector of Montgomery County, Greene County -- particularly the Beavercreek-Sugarcreek Township area -- is experiencing rapid growth.

II. BASIS OF AUTHORITY

The county derives its legal authority from Article X of the Ohio Constitutiton and Chapters 6117, 6103 and 343 in the Ohio Revised Code.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The County Sanitary Engineering Department is responsible for operating both the county water and sanitary sewer system. A countywide sewer district covering all unincorporated areas exists, and is empowered to serve political subdivisions as well as areas outside of the county by contract. For example, the Sugarcreek Plant currently being constructed will serve a portion of Montgomery County.

Other county departments are involved in waste water management decision-making. For example, the county health department (organized as a City-General Health District) works closely with the sanitary engineering department as well as with the county planning commission on development proposals. The county also enforces home sewage disposal regulations which are more restrictive than OEPA regulations (HE-29). The county health department and sanitary engineering department also have worked together in recommending against developments which would be served by package plants.

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*This synopsis was revised based on an interview with the County Health Department on October 24, 1975.

Both departments feel that package plants, of which the county has forty by the health department's count, cause water quality problems. These problems can be traced to the plant's design life, which empasizes private, low-cost construction, and generally remote locations, which are difficult to service routinely. The problems of package plants make them an operational and governmental liability. They are also detrimental to the aesthetic qualities of the Little Miami River, a designated "scenic river." The county health department will also become involved in waste treatment regulation when a municipal or package plant becomes overloaded, and will impose a freeze on further hook-ups by refusing to issue plumbing permits.

Other on-site plants serving, for example, commercial establishments are the responsibility of OEPA although the Health Department does become involved in the review of construction permits for facilities having such plants. However, although the on-going responsibility is OEPA's, the inspection program is lax, and the county does not have the resources to support its own program.

Other examples of Health Department involvement includes working with county commissioners and sanitary engineer in establishing improvement areas within the County Sewer District.

B. Water Supply

As mentioned above in "A," the county owns one central water system - The Sugarcreek Water System in Bellbrook - plus two small systems in Beavercreek.*

With regard to the water supply responsibilities of the County Health Department, the county has the authority to investigate and regulate private water supply systems. The county samples private and municipal systems -- on request in the case of private systems, and monthly in the case of municipal systems. The county has established its own water well regulations (recently revised) which are more stringent than current OEPA regulations (HE-35).

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*It operates and maintains four small, temporary systems by agreement and has two water service areas.

C. Land Use

Greene County has established a countywide regional planning commission known as the "Regional Planning and Coordinating Commission of Greene County," pursuant to Section 713.21 of the Ohio Revised Code. This commission administers subdivision regulations; however, zoning authority rests with each individual township.

The commission has a staff of about eight who are responsible for developing a comprehensive plan for the county, as well as acting in an advisory capacity to those member jurisdictions who so request it. Except for Beavercreek Township and the small villages of Bowersville and Clifton, all jurisdictions are members of the commission.

D. Solid Waste

The county has established a solid waste disposal district pursuant to Chapter 343 of the ORC.

There is only one county site, but the Health Department is also involved in inspecting municipal sites which are located in Fairborn, Xenia and Cedarville. The County Health Department works with the county engineer and OEPA in approving and licensing solid waste disposal sites, as well as approving the means of transporting solid wastes.

Sludge disposal is considered a problem by the County Health Department, because of present techniques available for land application and particularly, where land application includes both domestic and industrial wastes. However, at the present time the county uses land application. It was noted that the role of the state will become greater as communities look to OEPA for state-of-the-art information and guidelines to prevent groundwater contamination.

E. Storm Water

No activities were identified in this area.

F. Flood Control

Greene County participates in the standard HUD flood insurance program for portions of the county designated flood prone.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

Greene County operates within the range of responsibilities granted under the Ohio Revised Code, although it was noted by the County Health Department that the county, in seeking to ensure protection of water quality, is willing to take an aggressive position and if need be "let the courts prove you wrong".

In this regard, the County Health Department under Section 3709.21 of the Ohio Revised Code has broad authority to make and enforce local regulations.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No major obstacles were identified in terms of legal or administrative constraints, although, as noted, the Health Department does not have the resources to carry out a program of regulating package plants which are not being inspected by OEPA.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

Although relationships with other resource organizations were not identified specifically, it is evident from the above description of activities that Greene County does become involved in the activities of other local units of government within the county as well as with adjacent counties. Furthermore, it does work with OEPA in areas of common concern.

Within county government, the departments concerned with water quality management and development have institutionalized a review and comment procedure for development proposals. This facilitates resolving potential conflicts between departments and ensures the input of all affected county functions.

MIAMI COUNTY

(1970 U.S. Census Population: 84,342)

I. GEOGRAPHICAL JURISDICTION

Miami County boundaries were drawn March 1, 1807, and have not changed. The county encompasses 407 square miles and contains 12 townships, 9 villages and 3 cities.

II. BASIS OF AUTHORITY

The legal basis of county authority is Article X of the Ohio Constitution and the Ohio Revised Code, Chapters 343, 6103, and 6117.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The Board of County Commissioners established a county-wide sewage district in 1972 and while the county has taken over control of some very small (less than 1 mgd) package plants, it does not operate larger facilities. Miami County, MCD, and Montgomery County all plan to use the North Regional Sewage Treatment Plant when it is finished; but here again responsibilities will not involve ownership or operation. A sewer and water plan has been prepared for the southeastern section of the county. Assistance from the county sanitary engineer's office to the smaller villages and townships to determine treatment needs and priority for OEPA funding was the only other waste water-related program reported.

B. Water Supply

Miami County, pumping from its own wells and purchasing bulk water from Tipp City, provides water to two sub-districts inside its boundaries. A master plan for constructing water supply facilities in areas with high growth rates has been drafted and the county is now engaged in evaluating alternative desings.

C. Land Use

Miami County has a planning department and staff which is responsible for administering zoning and subdivision regulations, as well as preparing the county's comprehensive plan. However, no county-wide comprehensive land use plan has been produced. Piqua, Piqua East, Troy, Tipp City, and West Milton have their own comprehensive plans prepared with the assistance of MVRPC. The county zoning ordinance is used in all townships except Brown, Elizabeth, Bethel and Lost Creek where individual township ordinances have been passed. Miami County discourages strip residential developments along its roads through a section of the ordinance that prohibits farm lots from being divided into plots of less than five acres after the first lot is sold, unless the whole parcel is an approved subdivision with adequate sewerage and water supply.

D. Solid Waste

Solid waste programs are built upon the county's incinerator which serves municipalities and private haulers. Since the present operation is losing money, Miami County is considering converting the site to a resource recovery station with financial assistance from OWDA.

E. Storm Water

Numerous storm water projects have been undertaken by the county engineer in response to petitions from various communities. Two of the largest projects are in the fast-growing areas mentioned above in "C". An additional project for Piqua is under study and will involve storm sewer and sewer outlet construction.

F. Flood Control

Miami County strictly enforces flood plain zoning to avoid infringements near the major rivers and their larger tributaries. The county will be included in the HUD flood insurance program.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

No major differences were mentioned in the interview.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

No indication of any such constraints was given.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Miami County is divided into four health districts. Communities within the county contract with their district for the provision of health services. Each district monitors all private septic tanks within its jurisdiction. The county sanitary engineer directs extensions and improvements in sewage lines upon petition by all the potential users in the affected area.

B. Regional

Soil and Water Conservation District -- The county and the District have an informal working relationship for health-related problems. Neither has done much work in sediment control.

Miami Valley Regional Planning Commission -- The county participates in the Commission's A-95 review process and has contracted with MVRPC in the past for special studies. As a result of some of the planning done, the county anticipates formal contracts for waste water treatment expansion.

Regional Air Pollution Control Agency -- The RAPCA enforces air quality applications made by the county. It does not, at the present time, give any planning assistance to local communities within the county.

C. State

Ohio EPA -- The OEPA has final approval power on all water quality applications made by the county. It does not, at the present time, give any planning assistance to local communities within the county.

Ohio Water Development Authority -- As mentioned above, the county is currently trying to have OWDA take over the operation and conversion of Miami County's incinerator.

D. Federal

Farmers Home Administration -- Miami County has submitted an application for the construction of a water supply system near the county hospital to the FmHA. The fate of the application depends on a final decision to build or not to build a new health center in the area. If the decision is positive, a 50/50 funding split between the federal government and the locality is expected.

Housing and Urban Development -- The county has been trying to secure funds through the HUD Community Development Block Grant Program; none have been forthcoming. General revenue sharing funds have gone to the proposed health center.

MONTGOMERY COUNTY*

(1970 U.S. Census Population: 608,413)

I. GEOGRAPHICAL JURISDICTION

The total area of Montgomery County is approximately 459 square miles. It is composed of 13 townships, 12 villages, and eight cities. The county is divided into sewer districts, three of which have been established since 1970.

II. BASIS OF AUTHORITY

The sanitary engineering department is responsible for implementing powers of the board of county commissioners as appropriate chapters of the ORC are Chapter 6103 for water, Chapter 6117 for sewer districts, and Chapter 343 for solid waste.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

The County Department of Sanitary Engineering operates the county treatment plants. When and where sewer districts are established in Montgomery County, they are meant to fulfill several purposes: 1) to provide service for the particular area; 2) to assure an orderly development pattern for the area; and 3) to provide a basis for planning future developments. When sewer districts are established, within the sewer district on the basis of property owner's petition.

The board of county commissioners has with the recommendation of the sanitary engineer, established a sewer district without the petition of property owners if no funds are expended in the process. This was done in the northeast Wayne Township. According to the department, even where no improvement areas are petitioned for, certain ends are achieved.

---

*Most of the information for this synopsis came from interviews with Montgomery County Department of Sanitary Engineering personnel.

Essentially, creating a sewer district prevents the state from approving package plants for housing developments and prevents other political entities such as the Miami Conservancy District, Fairborn or Dayton, from filling the void without the county's concurrence. A trouble-free division of responsibilities between Dayton and the county in providing water and sewer services has not occurred due to, it appears, an aggressive annexation policy of the city. For example, county customers pay a 25% surcharge for water service provided by the city, an increment some communities feel is too great given that the city derives 15% of its sewer service revenue from those customers.

Service arrangements with areas outside the Montgomery County jurisdiction as in Greene County or some municipalities, are made by mutual agreement or contract. Ordinances and resolutions must be passed by both parties to the agreement. If the sewer district was in existence prior to the incorporation of a municipality the sewer district boundaries prevail and the county continues to provide service. If the municipality was established prior to the formation of the sewer district, the sewer district provides service only at the request of the municipality.

To meet the industrial cost recovery provisions of the FWPCAA, a preliminary industrial user charge regulation has been developed and is being reviewed by Ohio EPA; it has not been presented to the board of county commissioners for adoption. However, if adopted, it would require the county to begin extensive monitoring and sampling.

There is a master plan for water supply and sewer service. There have been studies considering phasing out of six sewage plants and instead have two regional sewage treatment plants. Montgomery County now has an application to borrow money to finance the local share of a Western Regional sewage treatment plant. However, OWDA financing will probably not be used. Instead, it is likely, general obligation bonds issued by the county will be used.

Water supply and waste water management are linked together in several ways. Water service cannot be extended to an area in the county without the simultaneous provision of sanitary sewers. Sewers may be built, however, without providing water service.

B. Water Supply

As mentioned in the section above, there is a master plan for water. There also have been studies undertaken on the issue of regionalizing the water supply. In fact, there have been attempts to regionalize water supply in the southern suburbs of Dayton, particularly to include West Carrollton and Miamisburg. The county has considered the possiblity of providing its own water service to those unincorporated areas now being served under contract by the city of Dayton.

C. Land Use

The county planning commission administers zoning regulations. Unincorporated townships in the county tend to drop out of the county system and adopt their own codes as they urbanize. Montgomery County has special provisions for "new community districts" which permit development of whole communities in an integrated way. Zoning regulations are linked to the county's comprehensive plan.

D. Solid Waste

The county board of health regulates most activities of solid waste. Although the department is not active in this area, the county was active in getting the solid waste legislation passed at the state level. Montgomery County is investigating resource recovery programs as an alternative to dumping garbage and refuse in a landfill.

E. Storm Water

Storm water is considered the largest unaddressed water quality problem facing the county. Communities have reported incidents of basement flooding, plumbing back-ups, and sewer surcharging. Efforts to deal with the problem structurally await a full assessment of the problem. The county provides drainage ditching on petition and in conjunction with road building, it operates no storm sewer works at all.

F. Flood Control

Major flood control operations throughout the Miami Valley are the province of the Miami Conservancy District. All the larger flood plains in the county are included in the District's operations. Smaller streams and creeksheds under the county's control have not been subject to any comprehensive management program to date.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND ACTUAL OPERATING RESPONSIBILITIES

The Montgomery County Department of Sanitary Engineering appears to be using all the authority granted to it.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

The greatest constraint to existing activities of the department is budgetary. Expenses continue to mount, while rates are not being restructured to keep pace. The department feels that this discrepancy could be eliminated if there were a base charge, with a provision for additional charges based on actual costs of certain items in the collection and treatment process. While there is agreement in principle that rates should be adjusted annually, the revision process is a lengthy one involving public hearings and voter reaction to rate increase every year has been negative.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

There are other local agencies with which the county sanitary engineering department is involved. Most relationships involve land use, waste water management, and water supply. There is more limited contact with other entities in the solid waste area. Agencies identified were Miami Valley Regional Planning Commission, and the Miami Conservancy District.

The county also works with Greene County to the east and Warren County to the south.

No other specific relationships were reported.

PREBLE COUNTY

(1970 U.S. Census Population: 34,719)

I. GEOGRAPHICAL JURISDICTION

Preble County is located in southwestern Ohio and encompasses 427 square miles of land. The county's jurisdiction has remained unchanged since 1970 and includes the City of Eaton, seven villages, and twelve townships.

II. BASIS OF AUTHORITY

Article X of the Ohio Constitution provides, by general law, for the organization and government of counties. Title 3 of the Ohio Revised Code provides an elaboration of county functions.

Chapters 6117 and 6103 of the Ohio Revised Code furnish the statutory basis for the powers, duties, and functions of a county in water quality management and related functions.

Chapter 6103 empowers the county with the authority to acquire, construct, maintain, and operate public water supply or water works system within the county for any sewer district. It provides the authority to set water utility rates and to issue bonds for system construction.

Chapter 6117 authorizes the county to construct and maintain sewer systems through the establishment of sewer districts. The statute provides for the issuance of bonds, levying of taxes, assessments, and acquisition of land for utilities by eminent domain.

III. AREAWIDE WATER QUALITY-RELATED FUNCTIONS

A. Waste Water Management

Preble County administers two sewage districts and is in the process of establishing a third. Treatment facilities in Sewer District No. 1 are planned; construction will begin soon. District No. 2 serves a development in the eastern section of the county.

The most significant program related to Section 208 planning is the construction of the Sewer District No. 1 treatment works. Funds have been requested from the U.S. Environmental Protection Agency (USEPA) for construction of the facilities. Interim support has also been requested from the Ohio Water Development Authority (OWDA) in the form of a loan until the cash flow from USEPA meets incurred expenses.

B. Water Supply

At the present time, the county does not supply water to its residents. However, in the proposed Sewer District No 3 the provision of both sewerage and water is planned.

C. Land Use

County zoning was adopted in Preble County in 1966, with all but one township participating. Jefferson Township has its own zoning and therefore does not participate in the coordinated county zoning.

D. Solid Waste

Preble County owns and operates a sanitary landfill for residents and outside parties. Twenty-four percent of the waste received comes from outside the county. The county has service contracts with municipalities, one village outside its jurisdiction, and one private hauler.

E. Storm Water

Storm water control in the county is carried out on a piecemeal basis. The county plans and constructs drainage ditches within municipalities upon petitioning by the corporation. Storm sewer projects are also being carried out on an on-going basis. The county will be planning and constructing storm sewers for West Alexandria in the near future. Similarly, the county is continually engaged in drainage projects in its rural portions.

F. Flood Control

Preble County has flood plain zoning ordinances. The county engineer or, alternatively, the building inspector, enforces flood plain zoning as a part of the general zoning plan. Only agricultural and open space/recreation activities are permitted on the land designated as flood prone.

IV. SIGNIFICANT DIFFERENCES BETWEEN LEGAL AUTHORITY AND OPERATING RESPONSIBILITIES

The major difference between Preble County's activities and the range of its authority appear to be concentrated in the provision of water and sewer services. The development of a county sewage treatment and collection facility in Sewer District No. 1 represents the first Preble County sewer system. Unlike other counties which often construct and/or maintain package treatment plants, Preble County has not chosen to operate those package plants that do exist within its jurisdiction. The county engineer, however, does provide technical assistance in the design of package treatment plants throughout the county when asked to do so.

Since Preble County does not operate any water supply plants, the development of a water supply system in the proposed Sewer District No. 3 represents the first system to be constructed and maintained by the county.

It is noteworthy to mention that the county engineer does, on occasion, engage in activities which may not be expressly within his responsibility. Oftentimes these activities focus on economic development issues. For example, a report concerning rail needs in Preble County was recently released by the engineer's office. This is in response to a lack of any other county personnel capable of dealing with such problems.

V. MAJOR LEGAL AND ADMINISTRATIVE CONSTRAINTS ON FINANCING AND STAFFING

The administrative constraints under which the county engineer operates must be mentioned. Primarily, they involve budget limits. The county cannot afford a sanitary engineer and supporting staff as an addition to the existing county engineering personnel. Therefore, the county engineer has added responsibility for the sanitary engineering functions.

Various steps have been taken to cut costs for planning and construction of facilities. They include:

1) performing planning and design tasks in-house rather than hiring consultants;

2) using local labor as opposed to union labor in construction operations that do not require standardized hiring practices.

One legal constraint apparently facing the county is its inability to establish sewer districts that include municipalities. The county must await petitions by the municipalities for county sewer service. This hampers efforts to establish sewer districts which can provide cost-effective service to county residents.

A second legal constraint is the lack of county control over aquifer use. Apparently no restrictions exist that would allow it to regulate the quantity of water removed from the aquifer by private interests.

The county engineer also suggested that greater restrictions be placed on the quality of effluent discharged into county ditches. There are no standards for the agricultural and residential effluent entering the ditches, other than general health department regulations.

VI. RELATIONS WITH OTHER RESOURCE ORGANIZATIONS

A. Local

Villages in Preble County -- Work with the villages is based on contractual arrangements. The county provides technical assistance, planning and design services, and construction supervision when requested to do so. The most common projects include storm sewers and bridges, but some sanitary sewer assistance is also provided.

B. Regional

Active inter-county relationships are few. Apparently, no independent program coordination or integration exists with neighboring counties.

C. State

On the state level, Preble County deals with many agencies. The most significant relationships exist with the southwest district office of the Ohio Environmental Protection Agency, the Ohio Department of Transportation (District 8), the Department of Economic and Community Development (DECD), and the Ohio Water Development Authority. For example, a one hundred acre industrial park near Eaton is being planned with the assistance of DECD. No information on current water quality programs was mentioned.

D. Federal

U.S. EPA -- The U.S. Environmental Protection Agency provides money for sewage treatment plant construction under the Section 201 facilities planning process.

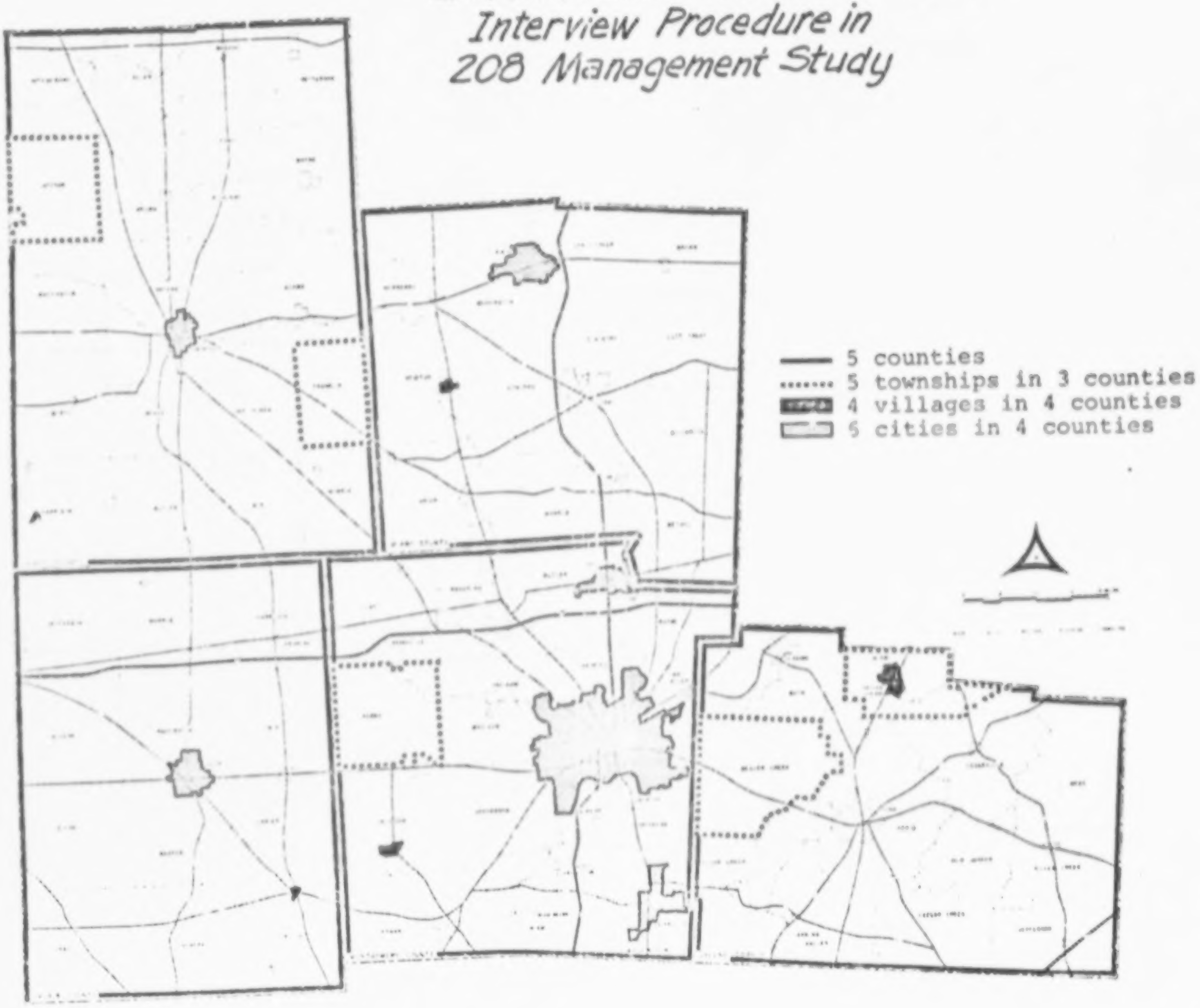
U.S. Corps of Engineers -- The Corps has established a liaison with the county for the watershed project on the east fork of the Whitewater River.

Farmers Home Administration -- The FmHA is currently funding construction of a small sewage collection system in the village of College Corner.

Appendix D

Map of Five County Area

Governmental Units Selected for
Interview Procedure in
208 Management Study


5 counties
5 townships in 3 counties
4 villages in 4 counties
5 cities in 4 counties

6/75

Appendix E

Survey Instrument

I. Legal Basis for Agency Activities

A. Organizational Base

1. The legal basis for this agency is

Statute, Ohio Revised Code # ______________________

Administrative Action ______________________

Constitution, Article # ______________________

Other ______________________

____

2. This agency was formed: ______________________

3. The current geographic jurisdiction is ______________________

____

____

It has changed formation ☐ not changed ☐ since

If it has changed since 1970, please cite basic modifications and year

____

____

____

____

What is the procedure for enlarging the geographic jurisdiction? (cite relevant authorities)

____

____

____

Preceding page blank

B. Functions and Responsibilities

1. Are the responsibilities and activities of this agency expressly cited in the response to question A.l.

☐ Yes

☐ No

2. If no, please cite the statutory, administrative, or legal authority for them. ______________________________

____

____

____

3. Have there been any significant changes in the agency's legal authorities

☐ Yes

☐ No

If yes, please city and summarize: ______________________

____

____

____

Do you feel these changes assisted or hampered the agency's activities? Why? ______________________________

____

____

4. Are there any pending legislative or administrative changes which might effect the agency. If so, please cite and indicate.

____

____

5. Is the agency authorized to provide services to areas outside its jurisdiction?

☐ Yes

☐ No

If yes, what is the basis for this authorization?

____

____

____

How are service arrangements made? ____________

____

____

____

Primary Activities - Ongoing

A. Agency Matrix

In the matrix above, please match the Agency's activities, listed horizontally, with its functional subject areas, listed vertically, by means of an "X".

Functional Areas	Planning	Regulatory	Legislative	Construction	Operation and Maintenance	Coordinative	Technica Assistan
Land Use							
Water Quality							
Waste Water Management							
Water Supply							
Flood Control/ Flood Plain Management							
Storm Water							
Solid Waste							
Transportation							

B. Activities Description

Please describe in brief nature of the agency's activities in the functional areas identified in IIA.

1. Land Use ____
____
____
____

2. Water Quality ____
____
____
____

3. Waste Water Management ________________________________
____
____
____

4. Water Supply ____
____
____
____

5. Flood Control/Flood Plain Management ____________________
____
____
____

6. Storm Water ____
____
____
____

7. Solid Waste ____

____

____

____

8. Transportation ____

____

____

____

C. Changes in Functional Areas and Activities related to those Areas.

1. If the agency's activities have changed significantly since its inception and particularly since 1970, please describe those changes.

____

____

____

____

____

III. Special Program/Project Activities

A. If applicable, describe any special programs and/or projects which the agency has undertaken in the past five fiscal years, that relate to water resources but were not covered under the functional areas in Question II A.

If these programs/projects are described in a work program or budget, it would be desirable for that document to be submitted and the applicable pages noted below.

IV. Exercise of Authority and Responsibility

A.

1. Has the agency been granted authority which is not being currently exercised? ____________________

____

____

2. What are the reasons for this? ____________________

____

____

____

3. Is the agency currently engaged in activities for which there is no clear authority?

☐ Yes

☐ No

4. If yes, please describe the activities ____________________

____

____

____

5. If yes, please also describe the circumstances under which the agency initially became involved in those activities? ____________________

____

____

6. a. Are there agencies whose responsibilities and activities are similar to those of this agency within your jurisdiction.

☐ Yes

☐ No

b. If yes, please identify the agency and functional area involved and check the appropriate column to indicate whether its role compliments or duplicates the role of your agency in that functional area.

		Relationship	
Agency	Function	Complementary	Duplication

1. Functional areas are (1) Land Use
(2) Water Quality
(3) Waste Water Management
(4) Water Supply
(5) Flood Control/Flood Plain Management
(6) Storm Water
(7) Solid Waste
(8) Transportation
(9) Other (specify)

____

____

V. Agency Revenues

A. Source of Revenues

1. Please indicate the dollar amount and percentage each of the following has contributed to the Agency's funding for the past five fiscal years. If the Agency feels these questions can be answered by submitting annual reports, budgets, or other documents for the past five fiscal years, please enclose.

SOURCE	1971	1972	1973	1974	1975
TOTAL REVENUES:					
LOCAL					
Tax Revenues					
User Fees					
Bond & Note Proceeds (Total) type					
Other (specify)					
STATE GOVERNMENT (specify source and type i.e., grants, loans, revenue sharing)					
FEDERAL GOVERNMENT (specify source and type)					

2. Please explain any significant changes in the agency's funding pattern during the five year period.

____

____

____

VI. Expenditures

A. Agency Budget-Operating and Capital Improvements

We are interested in learning about expenditures for operating expenses and capital improvements as these pertain to improving water quality.

If the agency feels the following can be answered by submitting annual reports, budgets, or other documents covering the past five fiscal years, please enclose.

The forms on the following five pages should be completed, one page for each of the past five years. Along the left margin of the form agency budget categories relating to water supply, sanitation, and water quality should be listed. Examples of the categories which might be included are land use, water quality management, pollution control, waste water management, water and sewer, flood control and flood plain management, storm water, solid waste management and disposal. and transportation.

Beneath the lines provided for category headings, specific budget which should also be filled in if possible. For example, the category "land use" might include planning and regulating; "Water quality management" might include monitoring.

Fiscal Year ____________

CATEGORY & ITEM	OPERATING EXPENSES		CAPITAL IMPROVEMENTS		
	Total	Debt Service Payments	Construction	Acquisition	Other
A.					
B.					
C.					
D.					

Fiscal Year ____________

Total Expenditures $ ____________

3. For these fiscal years, please list and explain any extraordinary expenditures originally not anticipated in the agency budget.

____

____

____

4. What is the present proportion of bond debt to assessed valuation for each type of debt outstanding.

____

____

____

VII. Operating Constraints

A. Please describe apparent constraints with respect to existing or desired Agency activities.

1. Funding (i.e., limitations on indebtedness or interest rates; inability to market issues; voter disapproval of issues or other referenda; grants not received or renewed; budget requests not appropriated.)

2. Legal (i.e. insufficient enabling authority.)

3. Salary Scale, Benefits, Working Conditions (re: that result in repaid personnel turnover, low efficiency, etc.)

4. Other (e.g. political, inter-agency).

5. What programs, operations or projects is the Agency not carrying out because of the constraints described above?

6. What opportunityes exist for eliminating the described constraints or reducing their impact?

VIII. Institutional Relationships:

We are interested in learning about the functional relationships this agency has with other governmental agencies at local (city, village, or township), county, multi-county, state, and federal levels. We are also interested in knowing whether these relationships are formal -- ie., required by law or contractural agreement -- or informal.

For your convenience, five charts are provided below so that you may systematically convey this information to us. Each of the five charts should be utilized exclusively for specifying relationships with agencies at the level of government indicated in the upper left hand corner of the chart. In the left hand column marked "Agencies," please list the governmental agencies with which you maintain functional relationships. For each of these agencies, indicate with a check in the appropriate column the type(s) of functional relationship(s) which exist(s) with your agency and whether or not this (these) relationship(s) is (are) formal or informal.

N.B.

The local relationships in which we are interested pertain only to local, county, and multi-county agencies within the five county MVRPC area.

Local

Relationships

	Review and Comment		Approval		Funding		Service Delivery		Planning		Implementation	
Agencies	F	I	F	I	F	I	F	I	F	I	F	I

A. Please describe service delivery relationships if they relate to service arrangements for water and sewer, waste treatment, or solid waste disposal.

B. Please describe funding and implementation relationships if they relate to construction and or use of water and sewer, waste treatment, or solid waste disposal facilities.

C. Please describe planning relationships with local agencies if they relate to water quality management, generally, or to improving waste treatment management, specifically.

County

	Relationships											
	Review and Comment		Approval		Funding		Service Delivery		Planning		Implementati	
Agencies	F	I	F	I	F	I	F	I	F	I	F	I

. Please describe service delivery relationships if they relate to water and sewer, waste treatment, or solid waste disposal.

. Please describe funding and implementation relationships if they relate to construction or financing of water and serer, waste treatment or solid waste disposal facilities.

. Please describe planning relationships with county agencies if they relate to water quality management in general, or improving waste treatment management, specifically.

Multi-County Agencies and Special Purpose Districts

Relationships

	Review and Comment		Approval		Funding		Service Delivery		Planning		Implementati	
	F	I	F	I	F	I	F	I	F	I	F	I
Agencies												

A. Please describe service delivery relationships if they relate to service arrangements for water and sewer, waste treatment, or solid waste disposal.

____

____

____

B. Please describe implementation and funding relationships if they relate to construction or financing of water and sewer, waste treatment solid waste disposal or flood control projects or facilities.

____

____

____

C. Please describe planning relationships with multi-county and special purpose districts if they relate to water quality management, in general, or improving waste treatment management, specifically.

____

____

____

tate

	Relationships											
	Review and Comment		Approval		Funding		Service Delivery		Planning		Implementati	
Agencies	F	I	F	I	F	I	F	I	F	I	F	I

A. Please describe Service delivery relationships if they relate to service arrangements for water and sewer, waste treatment or solid waste disposal.

B. Please describe funding and implementation relationships with state agencies if they relate to the construction or financing of water and sewer, waste treatment, solid waste disposal, or flood control projects.

C. Please describe planning relationships with state agencies if they relate to water quality management in general, or improving waste treatment management, specifically.

Federal

Relationships

	Review and Comment		Approval		Funding		Service Delivery		Planning		Implementati	
Agencies	F	I	F	I	F	I	F	I	F	I	F	I

A. Please describe funding and implementation relationships if they relate to the construction or financing by federal agencies of water and sewer, waste treatment, solid waste disposal, or flood control projects or facilities.

____

____

____

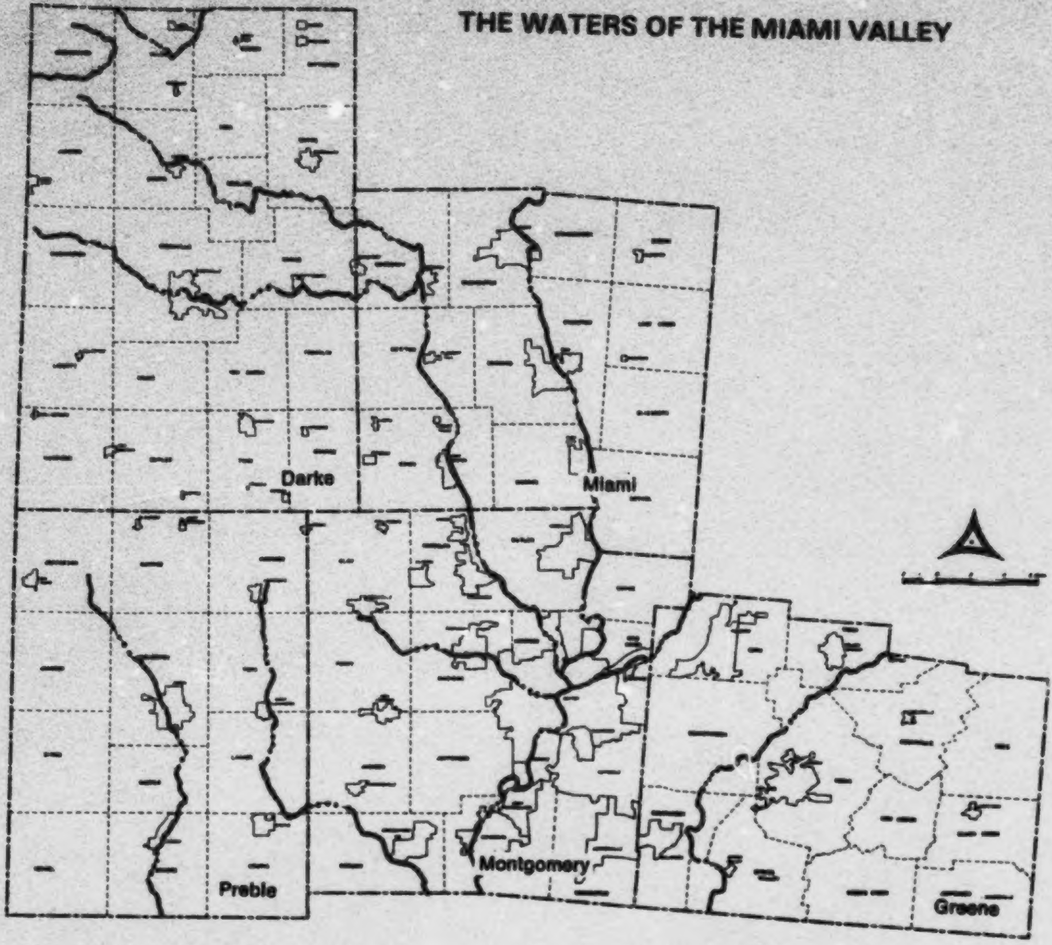
B. Please describe planning relationships if they relate to water quality management, in general or, improving waste treatment management, specifically.

____

____

____

THE WATERS OF THE MIAMI VALLEY


Darke
Miami
Preble
Montgomery
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Input

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223-6323

The MIAMI VALLEY REGIONAL PLANNING COMMISSION

B263
1

What is MVRPC?

The Miami Valley Regional Planning Commission (MVRPC) is a voluntary organization created by local governments in 1964 to assist officials and citizens in better understanding common problems and various corrective courses of action. Of high concern, also, is attempting to maximize the use of our natural, fiscal and human resources. Direct service and technical assistance is provided upon request in numerous functional areas. Typical of such services are: data and information related to our Region's goals, policies and priorities.

The members of the Commission are local elected officials; therefore, directly responsible and accountable to the citizens of the region and their various units of government.

Annually, the Commission selects specific issues for investigation and evaluation. After selection, the MVRPC follows procedures allowing for participation, review and comment by representatives of all points of view, all affected levels of government, technical experts, and interested groups and individuals. The Commission then, at public meetings, debates each issue and formulates its position. Commission findings and recommendations are published for consideration by the jurisdictions making up the Commission. Implementation of recommendations only occurs when local units of government officially take action.

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